

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, No. 3203**

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

ADOPTED FEBRUARY 11, 2021

**Sponsored by:**

**Senator NIA H. GILL**

**District 34 (Essex and Passaic)**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

**Senators Pou and Singleton**

**SYNOPSIS**

Requires in person early voting period for certain elections; makes appropriation.

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Senate State Government, Wagering, Tourism & Historic Preservation Committee.



1 AN ACT requiring early voting to be available for certain elections,  
2 amending various parts of the statutory law, supplementing Title  
3 19 of the Revised Statutes, and making an appropriation.  
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*  
7

8 1. (New section) a. In addition to all other forms of voting  
9 provided for by this Title, a registered voter shall be permitted to  
10 vote at a specially designated polling place before the day of certain  
11 primary and general elections in this State. This procedure shall be  
12 known as early voting. The early voting period shall:

13 (1) start on the 4th calendar day before a non-presidential  
14 primary election for a non-presidential general election and end on  
15 the second calendar day before that non-presidential primary  
16 election;

17 (2) start on the 6th calendar day before a presidential primary  
18 election for a presidential general election and end on the second  
19 calendar day before that presidential primary election; or

20 (3) start on the 10th calendar day before a general election and  
21 end on the second calendar day before that general election.

22 The voting process during the early voting period shall be  
23 conducted using electronic poll books and optical-scan voting  
24 machines that read hand-marked paper ballots or other voting  
25 machines that produce a voter-verifiable paper ballot. Any  
26 municipality conducting regular municipal elections in May  
27 pursuant to the provisions of the “Uniform Nonpartisan Elections  
28 Law,” P.L.1981, c.379 (C.40:45-5 et seq.), may, by an ordinance  
29 adopted by its governing body, also conduct early voting for the  
30 regular municipal election, in accordance with the provisions of this  
31 act, P.L. , c. (C. ) (pending before the Legislature as this bill). If  
32 adopted by a municipal governing body, the early voting period for  
33 a regular municipal election in May shall start on the 4th calendar  
34 day before the regular municipal election and end on the second  
35 calendar day before that regular municipal election. An early voting  
36 period shall only be permitted for a non-presidential or presidential  
37 primary election and a general election in this State and, if adopted  
38 by a municipal governing body, a regular municipal election  
39 conducted in May. Pursuant to the provisions of this act and Title  
40 19 of the Revised Statutes and in accordance with procedures that  
41 shall be established by the Secretary of State for verifying eligible  
42 voters, each county board of elections shall verify that a registered  
43 voter is qualified to vote in the election and shall prescribe the  
44 manner by which a registered voter may vote during such period.

**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.

1       b. (1) For the primary and the general election, each county  
2 board of elections shall designate at least three public locations  
3 within each county as the sites for early voting to occur, except that  
4 the county board shall designate at least five public locations for  
5 early voting if the number of registered voters in the county is at  
6 least 150,000 but less than 300,000, and shall designate at least  
7 seven public locations for early voting if the number of registered  
8 voters in the county is 300,000 or more. The number of registered  
9 voters in each county shall be determined ahead of the selection of  
10 early voting sites pursuant to a uniform standard which shall be  
11 developed by the Secretary of State through the rulemaking process  
12 pursuant to the “Administrative Procedure Act,” P.L.1968, c.410  
13 (C.52:14B-1 et seq.). Whenever possible, early voting locations  
14 shall be geographically located so as to ensure both access in the  
15 part of the county that features the greatest concentration of  
16 population, according to the most recent federal decennial census of  
17 the United States, and access in various geographic areas of the  
18 county. All early voting locations shall be public facilities, such as  
19 county courthouses, public libraries and the offices of the municipal  
20 clerk, county clerk, and county board of elections. No public  
21 school building and no building used as a public school shall,  
22 however, be designated as an early voting location. The locations  
23 shall be designated at the same time as all other polling places are  
24 designated by the board of elections. In the event of a tie vote  
25 among members of the county board with respect to the selection of  
26 sites for early voting, the county clerk shall cast the deciding vote.  
27 Once early voting locations are designated in each county, county  
28 boards of election shall, as provided by the Secretary of State,  
29 evaluate and, if deemed necessary, revise these locations in order to  
30 accommodate significant changes in the number of registered voters  
31 within each county, reflect the population distribution and density  
32 within each county, or because of similar circumstances. The  
33 Secretary of State shall develop the criteria to be used by county  
34 boards of election to revise the location of early voting sites and  
35 shall prescribe how often such revision shall take place.

36       A voter shall be permitted to vote at any early voting site in the  
37 voter’s county.

38       (2) Whenever a municipality that conducts regular municipal  
39 elections in May chooses to participate in early voting for the  
40 regular municipal election, the county board of elections shall  
41 designate at least one public location within the municipality as the  
42 site for early voting to occur. Whenever possible, each such  
43 location shall be geographically located in the part of the  
44 municipality that features the greatest concentration of population,  
45 according to the most recent federal decennial census of the United  
46 States. All early voting locations shall be public facilities, such as  
47 municipal courthouses and the offices of the municipal clerk. No  
48 public school building and no building used as a public school shall

1 be designated as an early voting location. The locations shall be  
2 designated at the same time as all other polling places are  
3 designated by the board of elections. In the event of a tie vote  
4 among members of the county board with respect to the selection of  
5 sites for early voting, the municipal clerk shall cast the deciding  
6 vote. Once early voting locations are designated in each  
7 municipality, county boards of election shall, as provided by the  
8 Secretary of State, evaluate and, if deemed necessary, revise these  
9 locations in order to accommodate significant changes in the  
10 number of registered voters within each municipality, reflect the  
11 population distribution and density within each municipality, or  
12 because of similar circumstances. The Secretary of State shall  
13 develop the criteria to be used by county boards of election to revise  
14 the location of early voting sites and shall prescribe how often such  
15 revision shall take place.

16 A voter shall be permitted to vote at any early voting site in the  
17 voter's municipality.

18 c. Each early voting site in a county or municipality shall be  
19 open for early voting on Monday through Saturday from at least 10  
20 AM to 8 PM, and on Sunday from at least 10 AM to 6 PM. Any  
21 voter who is on line at the time scheduled for the closing of an early  
22 voting site shall be permitted to vote.

23 d. The election officers responsible for conducting early voting  
24 shall be the same as those responsible for conducting a primary and  
25 a general election, as appropriate, pursuant to this Title. The  
26 number of such officers and their hours of service shall be as  
27 determined by each county board of elections. The compensation  
28 for such officers shall be the same as provided to district board of  
29 election members serving at a school election pursuant to  
30 R.S.19:45-6.

31 e. The restrictions governing the conduct of voters at a polling  
32 place on the days that early voting occurs, the procedures governing  
33 who is permitted in a polling place on such occasions and the  
34 prohibition on electioneering within 100 feet of a polling place  
35 during an election, shall be as provided in chapters 15, 34, 50 and  
36 52 of Title 19 of the Revised Statutes and every other applicable  
37 section of this Title.

38 f. At least once each day during the early voting period, and  
39 prior to the start of each regularly scheduled primary and general  
40 election, and regular municipal election in each non-partisan  
41 municipality choosing to participate in early voting, each county  
42 board shall make such changes as may be necessary to the voter's  
43 record in the Statewide voter registration system and the signature  
44 copy register used at each polling place to indicate that a voter has  
45 voted in that election using the early voting procedure.

46 g. (1) Each county board shall be responsible for forming and  
47 executing a written plan to ensure, to the greatest extent possible,  
48 the integrity of the voting process and the security of ballots used

1 during the early voting period, including the security of voting  
2 machines, voted ballots, and election records. The plan shall be  
3 based on guidelines established by the Secretary of State and shall  
4 be submitted thereto no later than December 15 of each year. The  
5 Secretary of State shall review and, if deemed necessary thereby,  
6 require changes to a plan no later than February 1 of each year.  
7 Each plan shall specify a chain of custody and security plan for the  
8 voting machines, and a chain of custody for the voted ballots and  
9 election records and materials, and shall require, among other  
10 specifications deemed necessary by the Secretary of State and  
11 county boards of election, that all voted ballots shall be transferred  
12 at the end of each early voting day to county boards of election for  
13 safekeeping. After the voted ballots are transferred to the county  
14 board of elections at the end of each early voting day, a county  
15 board may elect to impound those voted ballots on a secure server,  
16 or by any other means deemed appropriate by the Secretary of State.  
17 The voted ballots shall not be canvassed until the closing of the polls  
18 on election day as required pursuant to section 4 of this act, P.L. ,  
19 c. (C. ) (pending before the Legislature as this bill).

20 (2) Notwithstanding the provisions of this subsection, in the  
21 year in which P.L. , c. (C. ) (pending before the Legislature  
22 as this bill) becomes law, each county board shall submit its plan to  
23 the Secretary of State within 15 days following the effective date of  
24 this act and the Secretary of State shall review it and, if deemed  
25 necessary thereby, require changes in the plan within 45 days  
26 following the effective date of this act.

27 h. Each county board shall make certain that each polling place  
28 used for early voting shall be accessible to individuals with  
29 disabilities and the elderly, in compliance with the “Americans with  
30 Disabilities Act of 1990” (42 U.S.C. s.12101 et seq.), and that each  
31 polling place provides such voters, including the blind and visually  
32 impaired, the same opportunity for access and participation,  
33 including privacy and independence, as other voters in compliance  
34 with the “Help America Vote Act of 2002” (42 U.S.C. s.15481).

35 i. The Secretary of State shall establish a printing on demand  
36 ballot and elections system. At a minimum, the system shall be  
37 compatible with the Statewide voter registration system established  
38 pursuant to section 1 of P.L.2005, c.145 (C.19:31-31) and any  
39 electronic poll books provided by section 1 of P.L.2019, c.80  
40 (C.19:31-35). Each polling place used for early voting shall have a  
41 computer, tablet, or other electronic device to print provisional  
42 ballots for voters required to vote by provisional ballot in  
43 accordance to the provisions of Title 19 of the Revised Statutes or  
44 due to an equipment malfunction, a voter file, a polling record or  
45 signature copy register, or any other election related material, if  
46 needed. A computer, tablet, or other electronic device and the  
47 printer used to print election materials at a polling place shall not be  
48 used unless it has been certified by the Secretary of State. The

1 Secretary of State shall adopt and publish standards and regulations  
2 governing the certification and use of computer, tablets, or other  
3 electronic devices and printers to print election materials at each  
4 polling place used for early voting. The Secretary of State shall not  
5 certify a computer, tablet, or other electronic device or printer  
6 unless it is in compliance with the secretary's standards.

7 j. Each polling place used for early voting shall also have such  
8 appropriate supplies, ballots and other materials deemed necessary  
9 by the Secretary of State or as is required currently for a polling  
10 place on the day of any election by Title 19 of the Revised Statutes.

11  
12 2. (New section) a. The appointment of challengers for early  
13 voting shall be in the manner provided in subsection b. of section 1 of  
14 P.L.1960, c.82 (C. 19:7-6.1) for all elections. The name and address  
15 of each challenger, including a candidate acting as a challenger or a  
16 challenger representing a grouping of two or more candidates, together  
17 with the number or name and location of the polling place at which the  
18 challenger is to serve, shall be filed with the county board of elections  
19 not later than the fifth day preceding the start of the early voting  
20 period.

21 b. Each challenger, including a candidate acting as a challenger or  
22 a challenger representing a grouping of two or more candidates, shall  
23 have all of the powers of challengers serving at other elections, as  
24 provided for in R.S.19:7-5 and by R.S.19:15-1 et seq.

25 c. Any voter whose name does not appear on a challenge list but  
26 who is challenged as not qualified or entitled to vote by a challenger  
27 duly appointed pursuant to this section shall be entitled to the rights  
28 and protections provided by R.S.19:15-18 et seq., and every other  
29 applicable section of this Title.

30  
31 3. (New section) During each early voting period, the county  
32 board shall make available to the public a tally of the total number  
33 of voters who have cast a ballot at each early voting location during  
34 the previous day. The county boards shall prepare an electronic  
35 data file listing the names of the individual voters who cast a ballot  
36 during the early voting period. This information shall be made  
37 available to the public in an electronic format pursuant to rules  
38 adopted by the county board and subject to review each year by the  
39 Secretary of State. The information shall be updated and made  
40 available to the public no later than noon of each day during the  
41 early voting period and shall at the same time be provided to the  
42 clerk of the county in which early voting is occurring and to the  
43 Secretary of State.

44  
45 4. (New section) An early vote cast in an election, as provided  
46 for in this act, P.L. , c. (C. ) (pending before the Legislature  
47 as this bill), shall not be canvassed prior to the closing of the polls  
48 on the day of an election.

1 Every provisional ballot voted in each such election and  
2 determined by a county board to be valid shall be counted and shall  
3 be part of the official tally of the results of the election.  
4

5 5. (New section) In addition to any publications required under  
6 Title 19 of the Revised Statutes, the Secretary of State and each  
7 county board of elections shall cause to be published information  
8 concerning the early voting procedure on the Department of State's  
9 website and on each county's website. The early voting  
10 information shall include, but may not be limited to, a notice to the  
11 public concerning their eligibility to participate in early voting, the  
12 duration of the early voting period, and the locations and hours of  
13 operation of specially designated polling places for early voting in  
14 each county.  
15

16 6. (New section) In compliance with the provisions of Article  
17 VIII, Section II, paragraph 5 of the New Jersey Constitution, upon  
18 application for reimbursement by a county governing body or a  
19 municipal governing body, as may be appropriate, to the Secretary  
20 of State and approval of the application by the Director of the  
21 Division of Budget and Accounting in the Department of the  
22 Treasury, a county or municipality shall be reimbursed by the State  
23 for any additional costs incurred by the county or municipality as a  
24 result of the provisions of this act, P.L. , c. (C. ) (pending before  
25 the Legislature as this bill).  
26

27 7. (New section) The Secretary of State is hereby authorized to  
28 make such adjustments to regulations issued pursuant to Title 19 of  
29 the Revised Statutes as may be necessary to effectuate the purposes  
30 of this act, which regulations shall be effective immediately upon  
31 filing with the Office of Administrative Law for a period not to  
32 exceed 18 months, and may, thereafter, be amended, adopted or  
33 readopted in accordance with the provisions of the "Administrative  
34 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).  
35

36 8. R.S.19:12-7 is amended to read as follows:

37 19:12-7. a. The county board in each county shall cause to be  
38 published in a newspaper or newspapers which, singly or in  
39 combination, are of general circulation throughout the county, a  
40 notice containing the information specified in subsection b. hereof,  
41 except for such of the contents as may be omitted pursuant to  
42 subsection c. or d. hereof. Such notice shall be published once  
43 during the 30 days next preceding the day fixed for the closing of  
44 the registration books for the primary election, once during the  
45 calendar week **[next]** preceding the week in which the early voting  
46 period for the primary election for the general election **[is held]**  
47 begins, once during the 30 days next preceding the day fixed for the  
48 closing of the registration books for the general election, and once

1 during the calendar week **【next】** preceding the week in which the  
2 early voting period for the general election **【is held】** begins.

3 b. Such notice shall set forth:

4 (1) For the primary election for the general election:

5 (a) That a primary election for making nominations for the  
6 general election, for the selection of members of the county  
7 committees of each political party, and in each presidential year for  
8 the selection of delegates and alternates to national conventions of  
9 political parties, will be held on the day and between the hours  
10 provided for by or pursuant to this Title, and the days, hours, and  
11 places at which early voting shall be available in the county.

12 (b) The place or places at which and hours during which a  
13 person may register, the procedure for the transfer of registration,  
14 and the date on which the books are closed for registration or  
15 transfer of registration.

16 (c) The several State, county, municipal and party offices or  
17 positions to be filled, or for which nominations are to be made, at  
18 such primary election

19 (d) The existence of registration and voting aids, including: (i)  
20 the availability of registration and voting instructions at places of  
21 registration as provided under R.S.19:31-6; and (ii), if available, the  
22 accessibility of voter information to the deaf by means of a  
23 telecommunications device.

24 (e) The availability of assistance to a person unable to vote due  
25 to blindness, disability or inability to read or write.

26 (f) In the case of the notice published during the calendar week  
27 **【next】** preceding the week in which the early voting period for the  
28 primary election **【is held】** begins, that a voter who, prior to the  
29 election, shall have moved within the same county without (i)  
30 filing, on or before the 21st day preceding the election, a notice of  
31 change of residence with the commissioner of registration of the  
32 county or the municipal clerk of the municipality in which the voter  
33 resides on the day of the election, (ii) returning the confirmation  
34 notice sent to the voter by the commissioner of registration of the  
35 county, if such a notice has been sent to the voter, or (iii) otherwise  
36 notifying the commissioner of registration of the voter's change of  
37 address within the county shall be permitted to correct the voter's  
38 registration and to vote in the primary election by provisional ballot  
39 at the polling place of the district in which the voter resides on the  
40 day of the election. The notice shall further provide that the voter  
41 may contact the county commissioner of registration or municipal  
42 clerk or may view polling place location information on the  
43 Division of Elections website to determine the proper polling place  
44 location for the voter.

45 (2) For the general election:

46 (a) That a general election will be held on the day and between  
47 the hours provided for by or pursuant to this Title, and the days,  
48 hours and places at which early voting shall be available in the

1 county, and, where applicable, shall include annual school elections  
2 and annual fire district elections held on that date.

3 (b) The place or places at which and hours during which a  
4 person may register, the procedure for transfer of registration, and  
5 the date on which the books are closed for registration or transfer of  
6 registration.

7 (c) The several State, county and municipal offices, and where  
8 applicable, school board offices and fire district offices to be filled,  
9 notice of any school district propositions to be submitted to the  
10 people and, except as provided in R.S.19:14-33 of this Title as to  
11 publication of notice of any Statewide proposition directed by the  
12 Legislature to be submitted to the people, the State, county,  
13 municipal and fire district public questions to be voted upon at such  
14 general election.

15 (d) The existence of registration and voting aids, including: (i)  
16 the availability of registration and voting instructions at places of  
17 registration as provided under R.S.19:31-6; and (ii) the accessibility  
18 of voter information to the deaf by means of a telecommunications  
19 device.

20 (e) The availability of assistance to a person unable to vote due  
21 to blindness, disability or inability to read or write.

22 (f) In the case of the notice published during the calendar week  
23 **【next】** preceding the week in which the early voting period for the  
24 general election **【is held】** begins, that a voter who, prior to the  
25 election, shall have moved within the same county without (i)  
26 filing, on or before the 21st day preceding the election, a notice of  
27 change of residence with the commissioner of registration of the  
28 county or the municipal clerk of the municipality in which the voter  
29 resides on the day of the election, (ii) returning the confirmation  
30 notice sent to the voter by the commissioner of registration of the  
31 county, if such a notice has been sent to the voter, or (iii) otherwise  
32 notifying the commissioner of registration of the voter's change of  
33 address within the county shall be permitted to correct the voter's  
34 registration and to vote in the general election by provisional ballot  
35 at the polling place of the district in which the voter resides on the  
36 day of the election. The notice shall further provide that the voter  
37 may contact the county commissioner of registration or municipal  
38 clerk or may view polling place location information on the  
39 Division of Elections website to determine the proper polling place  
40 location for the voter.(3) For a school election:

41 (a) The day and time thereof,

42 (b) The offices, if any, to be filled at the election,

43 (c) The substance of any public question to be submitted to the  
44 voters thereat,

45 (d) That a voter who, prior to the election, shall have moved  
46 within the same county without (i) filing, on or before the 21st day  
47 preceding the election, a notice of change of residence with the  
48 commissioner of registration of the county or the municipal clerk of

1 the municipality in which the voter resides on the day of the  
2 election, (ii) returning the confirmation notice sent to the voter by  
3 the commissioner of registration of the county, if such a notice has  
4 been sent to the voter, or (iii) otherwise notifying the commissioner  
5 of registration of the voter's change of address within the county  
6 shall be permitted to correct the voter's registration and to vote in  
7 the school election by provisional ballot at the polling place of the  
8 district in which the voter resides on the day of the election,

9 (e) That if the voter has any questions as to where to vote on the  
10 day of the election, the voter may contact the county commissioner  
11 of registration or municipal clerk or may view polling place  
12 location information on the Division of Elections website to  
13 determine the proper polling place location for the voter; and

14 (f) Such other information as may be required by law.

15 c. If such publication is made in more than one newspaper, it  
16 shall not be necessary to duplicate in the notice published in each  
17 such newspaper all the information required under this section, so  
18 long as:

19 (1) The municipal officers or party positions to be filled, or  
20 nominations made, or municipal public questions to be voted upon  
21 by the voters of any municipality, shall be set forth in at least one  
22 newspaper having general circulation in such municipality;

23 (2) All offices to be filled, or nominations made therefor, or  
24 public questions to be voted upon, by the voters of the entire State  
25 or of the entire county shall be set forth in a newspaper or  
26 newspapers which, singly or in combination, have general  
27 circulation throughout the county;

28 (3) Information relating to nominations and elections in each  
29 Legislative District comprised in whole or part in the county, shall  
30 be published in at least a newspaper or newspapers which singly or  
31 in combination, have general circulation in every municipality of  
32 the county which is comprised in such legislative district.

33 d. Such part or parts of the original notices as published which  
34 pertain to day of registration or primary election which has occurred  
35 shall be eliminated from such notice in succeeding insertions.

36 e. (Deleted by amendment, P.L.1999, c.232.)

37 f. The cost of publishing the notices required by this section  
38 shall be paid by the respective counties, unless otherwise provided  
39 for by law.

40 g. Notices required to be published or posted pursuant to this  
41 section shall set forth a general description of the contents of the  
42 voter information notice provided for in section 1 of P.L.2005,  
43 c.149 (C.19:12-7.1), how the notice may be viewed or obtained  
44 prior to the day of an election, and that the notice will be posted in  
45 each polling place on the day of an election.

46 (cf: P.L.2019, c.170, s.1)

1       9. Section 1 of P.L.2005, c.149 (C.19:12-7.1) is amended to  
2 read as follows:

3       1. a. A county board of elections shall have posted a voter  
4 information notice, which shall be referred to as a voter's bill of  
5 rights, in a conspicuous location in each polling place **【before the**  
6 **opening of the polls on the day of any election】** and each specially  
7 designated polling place used for early voting before voting begins.

8       The notice shall contain:

9       the date of the election and the hours during which polling places  
10 will be open;

11       a statement that sample ballots are available at the polling place  
12 for review by the voter;

13       instruction for the use of the voting machine in that polling place  
14 and an explanation of what instructions for voting are available at  
15 the polling place for the voter;

16       instruction for a voter who is voting for the first time;

17       instruction for a voter who is required to provide identification  
18 pursuant to the federal "Help America Vote Act of 2002" and  
19 R.S.19:15-17 prior to casting a vote;

20       instruction on how to cast a vote if the voter cannot be present at  
21 a polling place on the day of the election;

22       an explanation of the right of the voter to vote in **【privacy】**  
23 private, regardless of the voter's physical abilities;

24       an explanation of the right of the voter to a provisional ballot,  
25 including in the event that a mail-in ballot has been applied for and  
26 not received or not transmitted to the county board of elections  
27 before the day of any election, and the other circumstances under  
28 which a voter has a right to a provisional ballot;

29       an explanation of the right of the voter to receive a replacement  
30 ballot for a ballot that has been spoiled, destroyed, lost or never  
31 received;

32       an explanation of the right of the voter to ask for and receive  
33 assistance in voting;

34       an explanation of the right of the voter to take a reasonable  
35 amount of time in casting a vote on a voting machine;

36       an explanation of the right of the voter to bring written material  
37 into the polling place for the voter's personal use in casting a vote;

38       instruction on how to contact the appropriate officials if a voter's  
39 right to vote or right to otherwise participate in the electoral process  
40 has been challenged or violated;

41       general information on federal and State laws that prohibit acts  
42 of fraud or misrepresentation and the penalties for those acts;

43       an explanation of the right of the voter to confidentially discover  
44 the status of their ballot using the "Track My Ballot" user portal;

45       an explanation that "All ballots are counted and your vote  
46 remains anonymous";

47       an explanation of the right of the voter that if their ballot was  
48 rejected, a notice will be issued to the voter within 24 hours after a

1 decision is made to reject the ballot. The voter will have up to 48  
2 hours prior to the date for the final certification of the results of the  
3 election to provide a cure for their ballot;  
4 an explanation giving the options for the voter to provide the  
5 cure to their rejected ballot;  
6 an explanation that no voters shall be intimidated or otherwise  
7 unduly influenced by political insignia while voting. No person  
8 shall wear, display, sell, give or provide any political or campaign  
9 slogan, badge, button or other insignia associated with any political  
10 party or candidate to be worn at or within one hundred feet of the  
11 polls or within the polling place or room, on any primary, general or  
12 special election day or on any commission government election day,  
13 except the badge furnished by the county board as provided by law.  
14 This includes any political gear representing the campaign slogans,  
15 logos, or depictions or representations of any political party or  
16 candidate such as merchandise sold directly from a political party,  
17 campaign, candidate, or by third parties and vendors representing  
18 any political party or campaign or candidate. A person violating  
19 any of these provisions is guilty of a disorderly persons offense and  
20 will not be permitted on the premises and can only return to vote  
21 after the removal of prohibited political insignia; and  
22 such other statement, instruction or explanation the Secretary of  
23 State may deem appropriate to ensure the full and knowledgeable  
24 participation of the voter in the process.  
25 The requirement to post this notice in each polling place shall  
26 not replace, supersede or void any other requirement set forth in law  
27 for the posting of information in each polling place apart from the  
28 voter information notice. The poster promoting the use of voting by  
29 mail prepared and distributed by the Secretary of State pursuant to  
30 R.S.19:8-6 shall be displayed next to or as close as may be possible  
31 to the voter information notice.  
32 b. The Secretary of State shall prescribe the form and specific  
33 content of the voter information notice, which may be comprised of  
34 more than one page. If the notice is comprised of more than one  
35 page, each page shall be posted separately. For an election district  
36 in which the primary language of 10 percent or more of the  
37 registered voters is a language other than English, the Secretary of  
38 State shall prescribe an official version of the voter information  
39 notice in that other language or languages for use in that election  
40 district. The notice shall be posted in English and in the other  
41 language or languages in the polling places in each such district.  
42 The alternate language shall be determined based on information  
43 from the latest federal decennial census.  
44 c. A county board of elections may modify or supplement the  
45 voter information notice used in a county or municipality to provide  
46 additional information specific to that county or a municipality in  
47 that county, provided, however, that any such modification or

1 supplementation shall be submitted to the Secretary of State for  
2 prior approval.

3 d. The voter information notice shall be printed on each sample  
4 ballot, to the extent practicable, or if not practicable, information on  
5 how to view or obtain a copy of the voter information notice shall  
6 be printed on each sample ballot.

7 e. The voter information notice, including one modified or  
8 supplemented pursuant to subsection c. of this section, shall be  
9 made accessible on the official Internet site of the State by the  
10 Secretary of State and each county board of elections shall ensure  
11 that the official Internet site of the county contains a link to that  
12 notice.

13 f. (Deleted by amendment, P.L.2020, c.70)

14 g. The State shall be liable for the costs incurred by local  
15 government entities for compliance with this section, and they shall  
16 be reimbursed for those costs, upon application, by the State  
17 Treasurer.

18 (cf: P.L.2020, c.71, s.2)

19

20 10. R.S.19:14-21 is amended to read as follows:

21 19:14-21. The county clerk shall cause samples of the official  
22 general election ballot to be printed in English, but for each election  
23 district within the county in which the primary language of 10% or  
24 more of the registered voters is Spanish, shall cause samples of the  
25 official general election ballot to be printed bilingually in English  
26 and Spanish.

27 a. In counties not having a superintendent of elections where  
28 the county board of elections does not have the equipment or  
29 facilities to address and mail sample ballot envelopes, the county  
30 clerk not later than noon of the eighth day prior to the start of the  
31 early voting period for the general election shall furnish to the  
32 municipal clerk of each municipality in his county one and one-  
33 tenth times as many such sample ballots and stamped envelopes as  
34 there are voters registered, less the number of voters who have been  
35 sent a confirmation notice pursuant to subsection d. of R.S.19:31-15  
36 and have not responded, to enable each [district board in each  
37 municipality] municipal clerk to mail one of such sample ballots to  
38 each voter who is registered in the municipality, except those voters  
39 who have been sent a confirmation notice pursuant to subsection d.  
40 of R.S.19:31-15 and have not responded, for such election and shall  
41 take a receipt for the same from each of the municipal clerks, which  
42 receipt shall indicate the number of such sample ballots and  
43 stamped envelopes delivered by the county clerk and the date and  
44 hour of their delivery.

45 b. In counties having a superintendent of elections, and in other  
46 counties where the county board of elections may have the  
47 equipment or facilities to prepare a properly stamped envelope  
48 addressed to each registered voter in the county for mailing, the

1 county clerk, not later than the **【thirtieth】** eighth day preceding the  
2 start of the early voting period for the general election, shall furnish  
3 to the commissioner of registration located in his county one and  
4 one-tenth times as many stamped envelopes as there are registered  
5 voters in the county, less the number of voters who have been sent a  
6 confirmation notice pursuant to subsection d. of R.S.19:31-15 and  
7 have not responded, and not later than noon of the **【twelfth】**  
8 seventh day preceding the start of the early voting period for the  
9 general election shall furnish to the commissioner of registration  
10 located in the county, one and one-tenth times as many sample  
11 ballots as there are registered voters in the county to enable the  
12 commissioner of registration of the county to mail one of such  
13 sample ballots to each voter registered in the county, except those  
14 voters who have been sent a confirmation notice pursuant to  
15 subsection d. of R.S.19:31-15 and have not responded, for such  
16 election and shall take a receipt for the same from the commissioner  
17 of registration, which receipt shall indicate the number of such  
18 sample ballots and stamped envelopes delivered by the county clerk  
19 and the date and hour of their delivery. County boards of elections  
20 which elect to operate under the provisions of this paragraph shall  
21 notify their county clerk in sufficient time to enable him to make  
22 the necessary arrangements the first year.

23 c. The county clerk in counties having a superintendent of  
24 elections shall also deliver to the county board not later than the  
25 **【twelfth】** seventh day preceding the start of the early voting period  
26 for the general election 10 such sample ballots of each election  
27 district of each municipality in the county.

28 d. During the early voting period for the general election, the  
29 county clerk may provide for the electronic display of sample  
30 ballots at each early voting location. If a county clerk elects to  
31 provide for the electronic display of sample ballots at each early  
32 voting location, at a minimum, the electronic display shall provide  
33 the sample ballot in at least the five most commonly spoken  
34 languages in this State, based on the most recent federal decennial  
35 census data, and any other language deemed necessary by the  
36 county clerk.

37 (cf: P.L.2009, c.110, s.1)

38  
39 11. R.S.19:14-22 is amended to read as follows:

40 19:14-22. The official general election sample ballots shall be  
41 as nearly as possible facsimiles of the official general election  
42 ballot to be voted at such election and shall have printed thereon,  
43 after the words which indicate the number of the election district for  
44 which such sample ballots are printed, the name of the school  
45 district, when appropriate, the number or name and municipality or  
46 municipalities of the fire district, when appropriate, the street  
47 address or location of the polling place in the election district, and

1 the hours between which the polls shall be open. Such sample  
2 ballots shall be printed on paper different in color from the official  
3 general election ballot, and have the following words printed in  
4 large type at the top: "This ballot cannot be voted. It is a sample  
5 copy of the official general election ballot used on election day."  
6 The sample ballot shall also state clearly the days, hours and places  
7 at which early voting shall be available in the county.  
8 (cf: P.L.2017, c.206, s.7)

9  
10 12. R.S.19:14-24 is amended to read as follows:

11 19:14-24. The municipal clerk to whom the sample ballots and  
12 stamped envelopes have been so delivered by the county clerk shall  
13 deliver the same at his office, or in any other way he sees fit, on or  
14 before noon of the Tuesday preceding the start of the early voting  
15 period for the general election, to a member or members of each  
16 district board, and shall take a receipt for the same from the  
17 member or members of the district boards of such municipality,  
18 which receipt shall indicate the number of sample ballots and  
19 stamped envelopes delivered by the municipal clerk and the date  
20 and hour of their delivery.  
21 (cf: R.S.19:14-24)

22  
23 13. R.S.19:14-25 is amended to read as follows:

24 19:14-25. In counties not having a superintendent of elections  
25 where the county board of elections does not have the equipment or  
26 facilities to address and mail sample ballot envelopes, **all the**  
27 **members of each of the district boards** the municipal clerk shall  
28 prepare and deposit in the post office, on or before 12 noon on  
29 Wednesday preceding the start of the early voting period for the  
30 general election **day**, a properly stamped envelope containing a  
31 copy of the sample ballot printed in English, addressed to each  
32 registered voter in the district of such board at the address shown on  
33 the register, except that for districts in which the primary language  
34 of 10% or more of the registered voters is Spanish, a properly  
35 stamped envelope containing a copy of the bilingual sample ballot,  
36 addressed to each registered voter in the district of such board at the  
37 address shown on the register shall be prepared and deposited. The  
38 board shall also post the appropriate sample ballots in the polling  
39 place in its district.

40 The board shall return to the municipal clerk all ballots and  
41 envelopes not mailed or posted by it, with a sworn statement in  
42 writing signed by a majority of the board that all the remainder of  
43 such ballots and envelopes had been mailed.

44 In counties having a superintendent of elections, and in other  
45 counties where the county board of elections shall elect to operate  
46 under the provisions of subsection b. of section 19:14-21 of this  
47 Title, the commissioner of registration shall prepare and deposit in  
48 the post office on or before 12:00 o'clock noon, on the Wednesday

1 preceding the start of the early voting period for the general election  
2 **【day】**, a properly stamped envelope containing a copy of the  
3 sample ballot printed in English addressed to each registered voter  
4 in the county at the address shown on the registry, except that for  
5 districts in which the primary language of 10% or more of the  
6 registered voters is Spanish, a properly stamped envelope  
7 containing a copy of the bilingual sample ballot, addressed to each  
8 registered voter in the district of such board at the address shown on  
9 the register shall be prepared and deposited. The commissioner of  
10 registration shall return to the county clerk all ballots and envelopes  
11 not mailed or posted by him, with a sworn statement in writing  
12 signed by him that all the remainder of such ballots and envelopes  
13 have been mailed.

14 The county board of elections, in all counties having a  
15 superintendent of elections, and in other counties where the county  
16 board of elections shall elect to operate under the provisions of  
17 subsection b. of section 19:14-21 of this Title, shall, not later than  
18 **【noon of the second Monday preceding】** the start of the early  
19 voting period for the election, deliver **【or mail】** to the members of  
20 the district board three appropriate sample ballots for their  
21 respective election district. The board shall post the appropriate  
22 sample ballots in the polling place in its district.

23 (cf: P.L.1974, c.30, s.3)

24

25 14. R.S.19:23-31 is amended to read as follows:

26 19:23-31. The official primary sample ballot shall be, as nearly  
27 as possible, a facsimile of the official primary ballot to be voted at  
28 the primary election and shall be printed on paper different in color  
29 from the official primary ballot, so that the same may be readily  
30 distinguished from the official primary ballot. It shall state clearly  
31 the days, hours, and places at which early voting shall be available  
32 in the county. The official primary sample ballot shall have printed  
33 at the top in large type the words: "This official primary sample  
34 ballot is an exact copy of the official primary ballot to be used on  
35 primary election day. This ballot cannot be voted." The official  
36 primary sample ballot shall also have printed thereon, following the  
37 words which indicate the election district, the following words:  
38 "The polling place for this election district is

39 (Stating the location of said polling place)."

40 (cf: R.S.19:23-31)

41

42 15. R.S.19:23-33 is amended to read as follows:

43 19:23-33. In counties not having a superintendent of elections  
44 where the county board of elections does not have the equipment or  
45 facilities to address and mail sample ballot envelopes, the municipal  
46 clerk in each municipality shall furnish to a member of each district  
47 board in his municipality, at his office, or in any other way that he  
48 sees fit, on or before Tuesday preceding the start of the early voting

1 period for the primary election in each year, sufficient sample  
2 ballots and sufficient stamped envelopes to enable the board to mail  
3 sample ballots to the voters as hereinbefore provided. Each of the  
4 boards shall give the municipal clerk a receipt for such sample  
5 ballots and envelopes signed by one of its members.

6 In counties having a superintendent of elections, and in other  
7 counties where the county board of elections shall elect to operate  
8 under the provisions of subsection b. of section 19:23-30 of this  
9 Title, the municipal clerk in each municipality shall furnish to the  
10 commissioner of registration of his county not later than **thirty**  
11 **days** the eighth day preceding the start of the early voting period  
12 for the primary election of each year, sufficient stamped envelopes  
13 to enable the commissioner of registration to mail sample ballots to  
14 each voter who is registered in the county, less the number of voters  
15 who have been sent a confirmation notice pursuant to subsection d.  
16 of R.S.19:31-15 and have not responded, and shall, not later than  
17 noon of the **twelfth** seventh day preceding the start of the early  
18 voting period for the primary election furnish sufficient sample  
19 ballots to the commissioner of registration of his county for that  
20 purpose. The commissioner of registration shall give the municipal  
21 clerk a receipt for such sample ballots and envelopes.

22 (cf: P.L.2009, c.110, s.3)

23

24 16. R.S.19:23-34 is amended to read as follows:

25 19:23-34. Each of such district boards, in counties not having a  
26 superintendent of elections where the county board of elections  
27 does not have the equipment or facilities to address and mail sample  
28 ballot envelopes, and the commissioner of registration in all other  
29 counties, shall prepare and deposit in the post office, on or before  
30 twelve o'clock noon on Wednesday preceding the start of the early  
31 voting period for the primary **day**, the stamped envelopes  
32 containing a copy of the sample primary ballot of each political  
33 party addressed to each voter whose name appears in the primary  
34 election registry book.

35 (cf: P.L.1947, c.168, s.11)

36

37 17. R.S.19:23-35 is amended to read as follows:

38 19:23-35. In counties not having a superintendent of elections,  
39 where the county board of elections does not have the equipment or  
40 facilities to address and mail sample ballot envelopes, such district  
41 board shall also post three sample ballots in the polling place in its  
42 district.

43 The county board of elections in all counties of the first class,  
44 and in other counties where the county board of elections shall elect  
45 to operate under the provisions of subsection b of section 19:23-30  
46 of this Title, shall, not later than **noon of the second Monday**  
47 **preceding** the start of the early voting period for the primary

1 election, deliver **【or mail】** to the members of the district board three  
2 sample ballots for their respective election district. The board shall  
3 post the sample ballots in the polling place in its district.  
4 (cf: P.L.1952, c.61, s.2)

5  
6 18. R.S.19:49-3 is amended to read as follows:

7 19:49-3. At least one week prior to the start of the early voting  
8 period for any primary, local, or general election two sets of official  
9 ballots shall be provided for each voting machine, for each polling  
10 place, for each election district, for use in and upon the voting  
11 machine. One set thereof shall be inserted or placed in or upon the  
12 voting machine and the other shall be retained in the custody and  
13 possession of the county board of elections or the superintendent of  
14 elections or the municipal clerk, as the case may be, having custody  
15 of voting machines, unless it shall become necessary during the  
16 course of the election to make use of the same upon or in the voting  
17 machine. At the close of the election all official ballots, except  
18 those actually in or upon the voting machine at the close of the  
19 election, whether the same shall have been used in the machine or  
20 not, shall be returned to the official providing the same in the  
21 manner by this Title provided.

22 (cf: P.L.1945, c.56, s.4)

23  
24 19. Section 1 of P.L.2019, c.80 (C.19:31-35) is amended to read  
25 as follows:

26 1. Each county commissioner of registration and county board  
27 of elections **【may adopt】** shall require the use of electronic poll  
28 books, as further provided by this act, P.L.2019, c.80 (C.19:31-  
29 35 et seq.), **【electronic poll books for use】** at each polling place  
30 during the early voting period and on the day of any election, in  
31 place of the paper polling record or signature copy register, to  
32 access the registration record, eligibility, signature, and other  
33 information of each registered voter in the election district. The  
34 electronic poll books shall enable at least the same functionality  
35 currently provided by the paper polling records or signature copy  
36 register to be accomplished in the conduct of an election. An  
37 electronic poll book shall not be used unless it has been certified by  
38 the Secretary of State. The Secretary of State shall adopt and  
39 publish electronic poll books standards and regulations governing  
40 the certification and use of electronic poll books. The Secretary of  
41 State shall not certify an electronic poll book unless it is in  
42 compliance with at least the capabilities and standards specified  
43 under section 2 of P.L.2019, c.80 (C.19:31-36) and the Secretary of  
44 State's standards and regulations. The Secretary of State shall  
45 provide **【each county commissioner of registration and board of**  
46 **elections that adopts the use of electronic poll books under this act**  
47 **with】** the rules, regulations, and instructions regarding the

1 examination, testing, and use of electronic poll books, including  
2 rules regarding the security and protection of the information stored  
3 in such electronic poll books, to each county commissioner of  
4 registration and board of elections.

5 (cf: P.L.2019, c.80, s.1)

6  
7 20. Section 3 of P.L.2019, c.80 (C.19:31-37) is amended to read  
8 as follows:

9 3. A county commissioner of registration and county board of  
10 elections **【opting to use electronic poll books】** shall submit to the  
11 Secretary of State a request for approval in the form, content, and  
12 timeframe specified by the Secretary of State. Within 10 days of  
13 receiving the request, the Secretary of State shall review the request  
14 for compliance with the Secretary of State's standards and  
15 regulations and all of the capabilities and standards required under  
16 this act, P.L.2019, c.80 (C.19:31-35 et seq.). A county  
17 commissioner of registration and county board of elections  
18 approved to use electronic poll books shall furnish at least two  
19 electronic poll books for each polling place and a backup paper  
20 polling record or signature copy register for each election district in  
21 the polling place. Each voter shall be offered the option to sign  
22 either the electronic poll book or the backup paper polling record or  
23 signature copy register. Electronic poll books for each election shall  
24 be prepared by the commissioner of registration no later than the  
25 10th day preceding the start of the early voting period for the  
26 election. At each election, the delivery of the electronic poll books  
27 to the municipal clerk and to the district boards or other officials  
28 charged with the same duties as the district boards in connection  
29 with the conduct of an election, and the return of those electronic  
30 poll books by the district boards or such other election officials to  
31 the commissioner of registration, shall be made in the manner  
32 prescribed by the commissioner of registration and shall comply  
33 with Title 19 of the Revised Statutes. The commissioner of  
34 registration shall retain the electronic poll books records for any  
35 election for a period of not less than six years following that  
36 election.

37 (cf: P.L.2019, c.80, s.3)

38  
39 21. Section 3 of P.L.1981, c.379 (C.40:45-7) is amended to read  
40 as follows:

41 3. Except as may otherwise be provided by law for initial  
42 elections conducted in a municipality following its adoption of a  
43 plan or form of government, or a charter or an amendment thereto,  
44 regular municipal elections shall be held in each municipality  
45 governed by this act on the second Tuesday in May, or the day of  
46 the general election in November if chosen by the municipality  
47 pursuant to subsection a. of section 1 of P.L.2009, c.196 (C.40:45-  
48 7.1), in the years in which municipal officers are to be elected. The

1 municipal election shall be held at the same place or places and  
2 conducted in the same manner, so far as possible, as the general  
3 election. The election officers shall be those provided for  
4 conducting the general election.

5 A municipality holding municipal elections on the second  
6 Tuesday in May, in addition to those elections and by an ordinance  
7 adopted by its governing body, may also conduct early voting for  
8 those municipal elections, in accordance with the provisions of  
9 P.L. , c. (C. ) (pending before the Legislature as this bill). A  
10 municipality holding municipal elections on the day of the general  
11 election in November shall conduct early voting in accordance with  
12 the provisions of P.L. , c. (C. ) (pending before the  
13 Legislature as this bill).

14 Notwithstanding the provisions of this section, the Secretary of  
15 State may change in any year the date provided for a regular  
16 municipal election if the date coincides with a period of religious  
17 observance that limits significantly the usual activities of the  
18 followers of a particular religion or that would result in significant  
19 religious consequences for such followers. The secretary shall  
20 inform the municipal clerks, county clerks and boards of election of  
21 the adjustment no later than the first working day in January of the  
22 year in which the adjustments are to occur.

23 As used in this section “a period of religious observance” means  
24 any day or portion thereof on which a religious observance imposes  
25 a substantial burden on an individual's ability to vote.  
26 (cf: P.L.2009, c.196, s.4)

27  
28 22. Section 1 of P.L.1960, c.82 (C.19:7-6.1) is amended to read  
29 as follows:

30 1. a. Unless express permission be given by the district board,  
31 not more than one challenger appointed for a party, candidate, or on  
32 a public question, shall be present at any one time in any polling  
33 place while serving and exercising the powers of a challenger and  
34 during the hours when the polls are open for voting. If the district  
35 board shall in any case give permission for more than one  
36 challenger so appointed to be present at any one time in any polling  
37 place, it shall on the same grounds and on request permit a like  
38 number to be present on behalf of any opposing party, or on behalf  
39 of any other candidate for the same office, or on the other side of  
40 any public question.

41 The provisions of this section shall not apply to any challengers  
42 appointed by the **【chairman】** chairperson of a county committee,  
43 pursuant to paragraph 2 of subsection b. of R.S.19:7-1, except that  
44 no more than one such challenger shall be present at any time in a  
45 polling place while serving and exercising his or her power as a  
46 challenger during the hours when the polling place is open for  
47 voting.

1        b. Notwithstanding the provisions of subsection a. of this  
2 section, or any other law, rule, or regulation to the contrary, not  
3 more than one challenger appointed for a party, candidate, or on a  
4 public question, shall be present at any one time in any early voting  
5 site while serving and exercising the powers of a challenger and  
6 during the hours when the polls are open for early voting. No  
7 challengers shall be appointed by the chairman of a county  
8 committee, pursuant to paragraph 2 of subsection b. of R.S.19:7-1,  
9 to be present at any time in an early voting site to serve and  
10 exercise any powers as a challenger during the hours when the polls  
11 are open for early voting.

12 (cf: P.L.1999, c.232, s.30)

13  
14        23. (New section) The provisions of this act, P.L. , c. (C. )  
15 (pending before the Legislature as this bill), shall only apply to the  
16 2021 general election and general elections thereafter; the 2022  
17 primary election and primary elections thereafter; and, if adopted by  
18 a municipal governing body, a municipal election conducted in May  
19 2022 and municipal elections conducted in May thereafter.

20  
21        24. a. There is appropriated from the General Fund to the  
22 Department of State the sum of \$2,000,000 for the purposes described  
23 in subsection i. of section 1 of this act.

24        b. There is appropriated from the General Fund as State aid to  
25 each county governing body and to each municipal governing body  
26 that approves conducting early voting such sums as the State Treasurer  
27 and the Director of the Division of Budget and Accounting in the  
28 Department of the Treasury deem necessary to effectuate the purpose  
29 of section 6 of this act.

30  
31        25. This act shall take effect immediately.