

ASSEMBLY, No. 1065

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

SYNOPSIS

Requires county clerks to place signs near polling place designating point at which electioneering is not permitted.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning prohibited and allowable actions in and near
2 polling places and amending R.S.19:34-6 and R.S.19:34-15.

3

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

6

7 1. R.S.19:34-6 is amended to read as follows:

8 19:34-6. a. If a person shall on election day tamper, deface or
9 interfere with any polling booth or obstruct the entrance to any
10 polling place, or obstruct or interfere with any voter, or loiter in or
11 near the polling place, or, with the purpose to obstruct or interfere
12 with any voter or to unduly delay other voters from voting, spend an
13 inordinate amount of time in the polling booth, or do any
14 electioneering within any polling place or within one hundred feet
15 thereof, **[he]** the person shall be guilty of a crime of the third
16 degree. The county clerk in each county shall designate no-
17 electioneering zones by placing signage inside the polling place and
18 distance markers exactly one hundred feet from each outside
19 entrance or exit of the polling place. The distance markers shall
20 mark the distance within which electioneering is not permitted and
21 the point outside of which electioneering is permitted. Such
22 signage and distance markers shall indicate the prohibition
23 contained in this subsection and shall explicitly indicate that
24 electioneering is legal outside of the one hundred foot distance.
25 Such signage and distance markers shall be placed at least one-half
26 hour before the opening of the polls and shall remain until the polls
27 are closed.

28 b. This section shall not be construed to prohibit a minor from
29 entering a polling place on the day of an election to vote in a
30 simulated election at that polling place, or persons from supervising
31 or working at a polling place in a simulated election in which
32 minors vote, provided that the county board of elections has
33 determined that the polling place can accommodate simulated
34 election activities without interfering with the orderly conduct of
35 the official voting process.

36 (cf: P.L.2005, c.154, s.26)

37

38 2. R.S.19:34-15 is amended to read as follows:

39 19:34-15. If a person shall distribute or display any circular or
40 printed matter or offer any suggestion or solicit any support for any
41 candidate, party or public question within the polling place or room
42 or within a distance of one hundred feet of the outside entrance to
43 such polling place or room, **[he]** the person shall be guilty of a
44 disorderly persons offense. Pursuant to subsection a. of R.S.19:34-
45 6, the county clerk in each county shall designate no-electioneering

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 zones by placing signage inside the polling place and distance
2 markers exactly one hundred feet from each outside entrance or exit
3 of the polling place.
4 (cf: P.L.2005, c.154, s.34)

5
6 3. This act shall take effect immediately.
7

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9 STATEMENT

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11 Current law prohibits electioneering inside a polling place and
12 within 100 feet of the outside entrance of a polling place.
13 Electioneering consists of distributing or displaying circular or
14 printed materials that offer suggestions about how to vote or which
15 solicit support for a candidate, party, or public question. This bill
16 requires the county clerk in each county to place signage inside any
17 polling place and distance markers exactly one hundred feet from
18 the outside entrance or exit of any polling place to designate no-
19 electioneering zones and clarify that electioneering is legal outside
20 of those zones. The bill requires county clerks to place the signs in
21 the designated areas one-half hour prior to the opening of the polls
22 and to remove the signs after the polls close. The no-electioneering
23 zones will mark the areas within which electioneering is not
24 permitted.