

ASSEMBLY, No. 1297

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

SYNOPSIS

Provides for excused absences for public school students involved in election activities on day of general election under certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning excused absences from public school and
2 amending P.L.2001, c.271, R.S.19:15-8, and R.S.19:34-6.

3

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

6

7 1. Section 1 of P.L.2001, c.271 (C.18A:36-33) is amended to
8 read as follows:

9 1. a. Notwithstanding any law, rule or regulation to the
10 contrary, any pupil of any public school who serves as a member of
11 a district board of election on the day of any election, pursuant to
12 R.S.19:6-1 et seq., and attends required instructional sessions
13 related to such membership, pursuant to R.S.19:50-1 et seq., shall
14 have his or her absence for those reasons recorded as excused
15 absences on that pupil's attendance record or on that of any group or
16 class of which the pupil is a member upon the presentation of such
17 documentation as the superintendent or administrative principal, as
18 the case may be, deems necessary to prove the pupil served as a
19 member of a district board on the day of an election or attended
20 required instructional sessions.

21 b. Notwithstanding any law, rule or regulation to the contrary,
22 any pupil over the age of 14 years of any public school shall have
23 his absence on the day of the general election in this State recorded
24 as an excused absence on that pupil's attendance record, or on that
25 of any group or class of which the pupil is a member, upon the
26 presentation of documentation proving the pupil served as a
27 volunteer for election-related activity on the day of the general
28 election. The documentation shall be in such form and shall contain
29 such information as the superintendent or administrative principal,
30 as the case may be, shall deem to be necessary. The information in
31 the documentation shall include, but need not be limited to, a
32 signature of a person over the age of 18 years who supervised the
33 pupil's activity, the organizers of the activity, a brief description of
34 the nature of the activity, the time during which the pupil took part
35 in the activity, and a certification that the activity was not
36 undertaken directly or indirectly for the benefit of one or more
37 political parties to the exclusion of other political parties. The
38 board of education may deny such excused absences for pupils
39 whose academic achievement is below a level set by the board of
40 education for this purpose.

41 As used in this subsection, "election-related activity" means:
42 observing the polling or canvassing process, participating in
43 simulated voting, assisting in the transportation of voters to polling
44 places, or participating in any other activity that has been

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 specifically approved in advance by the board of education
2 governing that public school,

3 as part of a group or a program organized by a recognized
4 nonprofit organization, by a board of education, or by educators
5 within the public educational system of this State,

6 not undertaken directly or indirectly for the benefit or under the
7 auspices of one or more political parties to the exclusion of other
8 political parties, and

9 for which the pupil volunteered and received compensation or
10 reimbursement for expenses no greater than \$100.

11 (cf: P.L.2001, c.271, s.1)

12
13 2. R.S.19:15-8 is amended to read as follows:

14 19:15-8. a. No person shall be allowed or permitted to be
15 present in the polling place or polling room during the progress of
16 the election except the officers connected with the election, persons
17 connected with the operation of a simulated election for minors as
18 described in subsection b. of this section, the several candidates, the
19 duly authorized challengers, such voters as are present for the
20 purpose of voting and their dependent children, minors present for
21 the purpose of voting in a simulated election, public school pupils
22 pursuant to subsection b. of section 1 of P.L.2001, c.271
23 (C.18A:36-33), and such officers as may be duly detailed to be
24 present, pursuant to this title, for preserving the peace or enforcing
25 the provisions hereof.

26 b. A county board of elections may authorize a simulated
27 election for minors at a polling place, provided the simulated
28 election does not interfere with the orderly conduct of the official
29 voting process.

30 (cf: P.L.2000, c.173, s.1)

31
32 3. R.S.19:34-6 is amended to read as follows:

33 19:34-6. a. If a person shall on election day tamper, deface or
34 interfere with any polling booth or obstruct the entrance to any
35 polling place, or obstruct or interfere with any voter, or loiter in or
36 near the polling place, or, with the purpose to obstruct or interfere
37 with any voter or to unduly delay other voters from voting, spend an
38 inordinate amount of time in the polling booth, or do any
39 electioneering within any polling place or within one hundred feet
40 thereof, he shall be guilty of a crime of the third degree.

41 b. This section shall not be construed to prohibit a minor from
42 entering a polling place on the day of an election to vote in a
43 simulated election at that polling place, or persons from supervising
44 or working at a polling place in a simulated election in which
45 minors vote, provided that the county board of elections has
46 determined that the polling place can accommodate simulated
47 election activities without interfering with the orderly conduct of
48 the official voting process. This section shall not be construed to

1 prohibit the presence of public school pupils at a polling place on
2 the day of an election pursuant to subsection b. of section 1 of
3 P.L.2001, c.271 (C.18A:36-33).
4 (cf: P.L.2005, c.154, s.26.)

5
6 4. This act shall take effect immediately.

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9 STATEMENT

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11 This bill would permit any pupil over the age of 14 years of any
12 public school to take an excused absence from school on the day of
13 the general election in this State upon the presentation of
14 documentation proving that the pupil served as a volunteer for
15 election-related activity on the day of the general election. This bill
16 defines "election-related activity" to mean:

17 observing the polling or canvassing process, participating in
18 simulated voting, assisting in the transportation of voters to polling
19 places, or participating in any other activity that has been
20 specifically approved in advance by the board of education
21 governing that public school,

22 as part of a group or a program organized by a recognized
23 nonprofit organization, by a board of education, or by educators
24 within the public educational system of this State,

25 not undertaken directly or indirectly for the benefit or under the
26 auspices of one or more political parties to the exclusion of other
27 political parties, and

28 for which the pupil volunteered and received compensation or
29 reimbursement for expenses no greater than \$100.

30 The absence would be granted upon submission of
31 documentation which would include a signature of a person over the
32 age of 18 years who supervised the pupil's activity, the organizers
33 of the activity, a brief description of the nature of the activity, the
34 time during which the pupil took part in the activity, and a
35 certification that the activity was not undertaken directly or
36 indirectly for the benefit of one or more political parties to the
37 exclusion of other political parties. The board of education may
38 deny such excused absences for pupils whose academic
39 achievement is below a level set by the board of education for this
40 purpose.

41 The purpose of this legislation is to promote participation in the
42 election process among young people who are just a few years from
43 becoming eligible to vote, thus fostering their understanding of the
44 importance of voting, of their rights as citizens, and of their civic
45 responsibility.