

ASSEMBLY, No. 3610

STATE OF NEW JERSEY 219th LEGISLATURE

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Sponsored by:

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SYNOPSIS

Directs Secretary of State to study wait times at polling places during a general election.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/24/2020)

1 **AN ACT** concerning wait times at polling places during a general
2 election.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. The Legislature finds and declares:

8 The right to vote is the foundation upon which the United States
9 of America is rooted;

10 For far too long, the right to vote was exclusive only to property-
11 owning white men in the United States;

12 Voting has become a guaranteed and unrestricted right for all
13 citizens of the United States since the passage of the “Civil Rights
14 Act of 1964” and the “Voting Rights Act of 1965”;

15 Today, voting at polling places has become increasingly difficult
16 for certain groups of people in the United States;

17 According to a study by the University of California, Los
18 Angeles, Carnegie Mellon University, and the University of
19 Chicago, voters who live in predominantly Black neighborhoods
20 face significantly longer wait times to vote than those who live in
21 predominantly white neighborhoods;

22 The average American voter spent 19 minutes at a polling place
23 during the 2016 General Election and the average Black voter spent
24 an additional five minutes at a polling place;

25 Residents of entirely Black neighborhoods were 74 percent more
26 likely to have to wait more than 30 minutes to vote compared to
27 residents of entirely white neighborhoods;

28 One possible explanation for the increase in wait times for Black
29 voters is the increase in polling place closures following the 2013
30 decision by the Supreme Court in *Shelby County v. Holder*, which
31 ruled Section 5 of the “Voting Rights Act of 1965”
32 unconstitutional;

33 According to a study conducted by the Leadership Conference on
34 Civil and Human Rights, at least 1,688 polling places were closed
35 in just seven Southern and Western states once scrutinized under
36 Section 5 of the “Voting Rights Act of 1965,” with a loss of 1,173
37 polling places between the 2014 and 2018 midterm elections;

38 These closures, which overwhelmingly occurred in districts with
39 a predominantly minority community, have limited access to voting
40 for millions of Americans;

41 The State of New Jersey takes voter suppression extremely
42 seriously and should take every action necessary to study wait times
43 at New Jersey polling places; and

44 Therefore, it is necessary and urgent that the Secretary of State
45 conduct a study of wait times at polling places and make
46 recommendations based on the results of the study to ensure a fair
47 and equal voting process for all citizens of this State.

1 b. The Secretary of State shall develop and conduct a study of
2 wait times at polling places on the day of a general election in this
3 State, and make recommendations based on the results of the study.
4 The study shall include a comparison of the wait times experienced
5 by voters representing the different racial, ethnic, and minority
6 groups in this State at a general election. In developing and
7 conducting the study, the Secretary of State shall commission a
8 team of research experts who shall draw upon the best available
9 research methodologies and procedures for measuring wait time
10 disparities at polling places.

11 c. The Secretary of State shall report the findings and
12 recommendations of the study to the Governor, and to the
13 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1),
14 within six months following the general election at which the study
15 is conducted.

16
17 2. This act shall take effect immediately and shall expire upon
18 submission of the report pursuant to this act.

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STATEMENT

22

23 This bill directs the Secretary of State to study wait times at
24 polling places during a general election.

25 A study conducted by the University of California, Los Angeles,
26 Carnegie Mellon University, and the University of Chicago has
27 highlighted the difference in average wait times between white and
28 Black voters. The study also discovered that voters in Black
29 neighborhoods routinely wait 30 minutes longer to vote compared
30 to voters in white neighborhoods. One possible explanation is the
31 number of polling place closures in predominantly Black
32 neighborhoods since the 2013 Supreme Court decision in *Shelby*
33 *County v. Holder*. This decision ruled Section 5 of the “Voting
34 Rights Act of 1965” unconstitutional and allowed previously
35 scrutinized states to more easily close polling places.

36 Under the bill, the Secretary of State will study wait times at
37 polling places during a general election and make recommendations
38 based on the results of the study. The study will include a
39 comparison of the wait times experienced by voters representing the
40 different racial, ethnic, and minority groups in this State at a general
41 election. The bill requires the Secretary of State to commission a
42 team of research experts who must draw upon the best available
43 research methods and procedures for measuring wait time
44 disparities at polling places. The Secretary of State will report the
45 findings to the Governor and the Legislature within six months
46 following the general election at which the study is conducted.