

[First Reprint]  
**SENATE, No. 99**

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

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Senator NIA H. GILL**

**District 34 (Essex and Passaic)**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

**Senators Stack, Diegnan, Gopal and Pou**

**SYNOPSIS**

Requires availability of early voting for certain elections; makes appropriation.

**CURRENT VERSION OF TEXT**

As reported by the Senate State Government, Wagering, Tourism & Historic Preservation Committee on August 20, 2020, with amendments.



**(Sponsorship Updated As Of: 9/21/2020)**

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 the  
 11 general election, starting on the 15th day before the election and  
 12 ending on the second calendar day before the election. This  
 13 procedure shall be known as early voting. Any municipality  
 14 conducting regular municipal elections in May pursuant to the  
 15 provisions of the "Uniform Nonpartisan Elections Law," P.L.1981,  
 16 c.379 (C.40:45-5 et seq.), may, by an ordinance adopted by its  
 17 governing body, also conduct early voting for the regular municipal  
 18 election, in accordance with the provisions of this act, P.L. ,  
 19 c. (C. ) (pending before the Legislature as this bill). The  
 20 voting shall be conducted using paper ballots. The ballot used to  
 21 conduct early voting as provided in this act shall be labeled "Early  
 22 Voting / Vote By Mail Ballot" and shall also be used to conduct the  
 23 vote by mail process for the general election pursuant to the  
 24 provisions of "The Vote By Mail Law," P.L.2009, c.79 (C.19:63-1  
 25 et seq.). <sup>1</sup>A registered voter who received a mail-in ballot under the  
 26 provisions of "The Vote By Mail Law," P.L.2009, c.79 (C.19:63-1  
 27 et seq.) shall be permitted to vote during the early voting period by  
 28 bringing the completed mail-in ballot in-person to an early voting  
 29 location, and the ballot shall be accepted at the early voting location  
 30 and canvassed as provided under this act.<sup>1</sup> Pursuant to the  
 31 provisions of this act and Title 19 of the Revised Statutes, each  
 32 county board of elections shall determine the method of verifying  
 33 that a registered voter is qualified to vote in the election and shall  
 34 prescribe the manner by which a registered voter may vote during  
 35 such period.  
 36 b. (1) For the general election, each county board of elections  
 37 shall designate three public locations within each county as the sites  
 38 for early voting to occur, except that the county board shall  
 39 designate a total of five public locations for early voting if the  
 40 number of registered voters in the county is at least 150,000 but less  
 41 than 300,000, and shall designate a total of seven public locations  
 42 for early voting if the number of registered voters in the county is  
 43 300,000 or more. The number of registered voters in each county  
 44 shall be determined ahead of the selection of early voting sites

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SSG committee amendments adopted August 20, 2020.

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

29 (2) Whenever a municipality that conducts regular municipal  
30 elections in May chooses to participate in early voting for the  
31 regular municipal election, the county board of elections shall  
32 designate at least one public location within the municipality as the  
33 site for early voting to occur. Whenever possible, each such  
34 location shall be geographically located in the part of the  
35 municipality that features the greatest concentration of population,  
36 according to the most recent federal decennial census of the United  
37 States. All early voting locations shall be public facilities, such as  
38 municipal courthouses and the offices of the municipal clerk. No  
39 public school building and no building used as a public school shall,  
40 however, be designated as an early voting location. The locations  
41 shall be designated at the same time as all other polling places are  
42 designated by the board of elections. In the event of a tie vote  
43 among members of the county board with respect to the selection of  
44 sites for early voting, the municipal clerk shall cast the deciding  
45 vote. Once early voting locations are designated in each  
46 municipality, county boards of election shall, as provided by the  
47 Secretary of State, evaluate and, if deemed necessary, revise these  
48 locations in order to accommodate significant changes in the

1 number of registered voters within each municipality, reflect the  
2 population distribution and density within each municipality, or  
3 enhance convenience when an early voting site has proven to be  
4 inconvenient for the voters, or because of similar circumstances.  
5 The Secretary of State shall develop the criteria to be used by  
6 county boards of election to revise the location of early voting sites  
7 and shall prescribe how often such revision shall take place.

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

13 d. The election officers responsible for conducting early voting  
14 shall be the same as those responsible for conducting a general  
15 election pursuant to this Title. The number of such officers and  
16 their hours of service shall be as determined by each county board  
17 of elections. The compensation for such officers shall be the same  
18 as provided to district board of election members serving at a  
19 school election pursuant to R.S.19:45-6.

20 e. The restrictions governing the conduct of voters at a polling  
21 place on the days that early voting occurs, the procedures governing  
22 who is permitted in a polling place on such occasions and the  
23 prohibition on electioneering within 100 feet of a polling place  
24 during an election, shall be as provided in chapters 15, 34, 50 and  
25 52 of Title 19 of the Revised Statutes and every other applicable  
26 section of this Title.

27 f. At least once each day during the early voting period, and  
28 prior to the start of each regularly scheduled general election, and  
29 regular municipal election in each non-partisan municipality  
30 choosing to participate in early voting, each county board shall  
31 make such changes as may be necessary to the voter's record in the  
32 Statewide voter registration system and the signature copy register  
33 used at each polling place to indicate that a voter has voted in that  
34 election using the early voting procedure.

35 g. (1) Each county board shall be responsible for forming and  
36 executing a written plan to ensure, to the greatest extent possible,  
37 the integrity of the voting process and the security of ballots used  
38 during the early voting period, including the security of voted  
39 ballots and election records. The plan shall be based on guidelines  
40 established by the Secretary of State and shall be submitted thereto  
41 no later than December 15 of each year. The Secretary of State  
42 shall review and, if deemed necessary thereby, require changes to a  
43 plan no later than February 1 of each year. Each plan shall specify  
44 a chain of custody for ballots and voted ballots and shall require,  
45 among other specifications deemed necessary by the Secretary of  
46 State and county boards of election, that all voted ballots shall be  
47 transferred at the end of each early voting day to county boards of  
48 election for safekeeping until canvassing on election day as

1 required pursuant to section 5 of this act, P.L. , c. (C. ) (pending  
2 before the Legislature as this bill).

3 (2) Notwithstanding the provisions of this subsection, in the  
4 year in which P.L. , c. (C. ) (pending before the Legislature  
5 as this bill) becomes law, each county board shall submit its plan to  
6 the Secretary of State within 15 days following the effective date of  
7 this act and the Secretary of State shall review it and, if deemed  
8 necessary thereby, require changes in the plan within 45 days  
9 following the effective date of this act.

10 h. Each county board shall make certain that each polling place  
11 used for early voting shall be accessible to individuals with  
12 disabilities and the elderly, in compliance with the "Americans with  
13 Disabilities Act of 1990" (42 U.S.C. 12101 et seq.), and that each  
14 polling place provides such voters, including the blind and visually  
15 impaired, the same opportunity for access and participation,  
16 including privacy and independence, as other voters in compliance  
17 with the "Help America Vote Act of 2002" (42 U.S.C. 15481).

18 i. Each polling place used for early voting shall have such  
19 appropriate supplies, ballots and other materials deemed necessary  
20 by the Secretary of State or as is required currently for a polling  
21 place on the day of any election by Title 19 of the Revised Statutes.  
22

23 2. (New section) a. A duly-registered voter shall be permitted  
24 to participate in early voting after completing an Early Voting Voter  
25 Certificate in substantially the following form:  
26

#### 27 EARLY VOTING VOTER CERTIFICATE

28  
29 I, \_\_\_\_\_(your name), am a registered voter, residing  
30 at \_\_\_\_\_(your street address), \_\_\_\_\_County,  
31 New Jersey. I do solemnly swear or affirm that I am the person so  
32 listed on the voter registration rolls of \_\_\_\_\_County and that  
33 I reside at the above address. I understand that if I commit or  
34 attempt to commit fraud in connection with voting, vote  
35 fraudulently or vote more than once in an election I could be  
36 convicted of a crime of the third degree and fined up to \$15,000 and  
37 imprisoned for up to five years. I understand that my failure to sign  
38 this certificate invalidates my vote.  
39

40 \_\_\_\_\_  
41 (Voter Signature)  
42

43 \_\_\_\_\_  
44 (Date)  
45

46 Using the completed early voting certificate, and prior to permitting  
47 the voter to vote, an election official shall ascertain, in substantially  
48 the same manner as required on the day of an election pursuant to

1 Title 19 of the Revised Statutes, that the voter is a duly-registered  
2 voter of the county and is entitled to vote in that election. Each  
3 early voting voter certificate shall be collected and forwarded to the  
4 county board at the end of each day of the early voting period and  
5 shall be kept by the board for two years following the date of the  
6 election.

7 b. A voter who has voted in an election using the early voting  
8 procedure established by this act, P.L. , c. (C. )(pending  
9 before the Legislature as this bill), shall not be permitted to vote by  
10 mail-in ballot or in person at the polling place in the voter's election  
11 district on the day of the election.

12  
13 3. (New section) a. The appointment of challengers for early  
14 voting shall be in the same manner as provided in chapter 7 of Title  
15 19 of the Revised Statutes for all elections. The name and address  
16 of each challenger, including a candidate acting as a challenger or a  
17 challenger representing a grouping of two or more candidates,  
18 together with the number or name and location of the polling place  
19 at which the challenger is to serve, shall be filed with the county  
20 board of elections not later than the fifth day preceding the start of  
21 the early voting period.

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

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

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

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

1 on the day of an election.

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

5  
6 6. (New section) In compliance with the provisions of Article  
7 VIII, Section II, paragraph 5 of the New Jersey Constitution, upon  
8 application for reimbursement by a county governing body or a  
9 municipal governing body, as may be appropriate, to the Secretary  
10 of State and approval of the application by the Director of the  
11 Division of Budget and Accounting in the Department of the  
12 Treasury, a county or municipality shall be reimbursed by the State  
13 for any additional costs incurred by the county or municipality as a  
14 result of the provisions of this act, P.L. , c. (C. ) (pending  
15 before the Legislature as this bill).

16  
17 7. (New section) In addition to any publications required under  
18 Title 19 of the Revised Statutes, the Secretary of State and each  
19 county board of elections shall cause to be published information  
20 concerning the early voting procedure on the Department of State's  
21 website and on each county's website. The early voting information  
22 shall include, but may not be limited to, a notice to the public  
23 concerning their eligibility to participate in early voting, the  
24 duration of the early voting period, and the locations and hours of  
25 operation of specially designated polling places for early voting in  
26 each county.

27  
28 8. (New section) The Secretary of State is hereby authorized to  
29 make such adjustments to Title 19 of the Revised Statutes by  
30 regulation as may be necessary to effectuate the purposes of this  
31 act.

32  
33 <sup>1</sup>[9. R.S.19:12-7 is amended to read as follows:

34 19:12-7. a. The county board in each county shall cause to be  
35 published in a newspaper or newspapers which, singly or in  
36 combination, are of general circulation throughout the county, a  
37 notice containing the information specified in subsection b. hereof,  
38 except for such of the contents as may be omitted pursuant to  
39 subsection c. or d. hereof. Such notice shall be published once  
40 during the 30 days next preceding the day fixed for the closing of  
41 the registration books for the primary election, once during the  
42 calendar week next preceding the week in which the primary  
43 election for the general election is held, once during the 30 days  
44 next preceding the day fixed for the closing of the registration  
45 books for the general election, and once during the calendar week  
46 **[next]** preceding the week in which the early voting period for the  
47 general election **[is held]** begins.

48 b. Such notice shall set forth:

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

2       (a) That a primary election for making nominations for the  
3 general election, for the selection of members of the county  
4 committees of each political party, and in each presidential year for  
5 the selection of delegates and alternates to national conventions of  
6 political parties, will be held on the day and between the hours and  
7 at the places provided for by or pursuant to this Title.

8       (b) The place or places at which and hours during which a  
9 person may register, the procedure for the transfer of registration,  
10 and the date on which the books are closed for registration or  
11 transfer of registration.

12       (c) The several State, county, municipal and party offices or  
13 positions to be filled, or for which nominations are to be made, at  
14 such primary 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), if available, the  
18 accessibility of voter information to the deaf by means of a  
19 telecommunications 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 primary election is held, that  
24 a voter who, prior to the election, shall have moved within the same  
25 county without (i) filing, on or before the 21st day preceding the  
26 election, a notice of change of residence with the commissioner of  
27 registration of the county or the municipal clerk of the municipality  
28 in which the voter resides on the day of the election, (ii) returning  
29 the confirmation notice sent to the voter by the commissioner of  
30 registration of the county, if such a notice has been sent to the voter,  
31 or (iii) otherwise notifying the commissioner of registration of the  
32 voter's change of address within the county shall be permitted to  
33 correct the voter's registration and to vote in the primary election by  
34 provisional ballot at the polling place of the district in which the  
35 voter resides on the day of the election. The notice shall further  
36 provide that the voter may contact the county commissioner of  
37 registration or municipal clerk to determine the proper polling place  
38 location for the voter.

39       (2) For the general election:

40       (a) That a general election will be held on the day and between  
41 the hours and at the places provided for by or pursuant to this Title,  
42 and the days, hours and places at which early voting shall be  
43 available in the county, and, where applicable, shall include annual  
44 school elections and annual fire district elections held on that date.

45       (b) The place or places at which and hours during which a  
46 person may register, the procedure for transfer of registration, and  
47 the date on which the books are closed for registration or transfer of  
48 registration.

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

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

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

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

33 (3) For a school election:

34 (a) The day, time and place thereof,

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

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

38 (d) That a voter who, prior to the election, shall have moved  
39 within the same county without (i) filing, on or before the 21st day  
40 preceding the election, a notice of change of residence with the  
41 commissioner of registration of the county or the municipal clerk of  
42 the municipality in which the voter resides on the day of the  
43 election, (ii) returning the confirmation notice sent to the voter by  
44 the commissioner of registration of the county, if such a notice has  
45 been sent to the voter, or (iii) otherwise notifying the commissioner  
46 of registration of the voter's change of address within the county  
47 shall be permitted to correct the voter's registration and to vote in

1 the school election by provisional ballot at the polling place of the  
2 district in which the voter resides on the day of the election,

3 (e) That if the voter has any questions as to where to vote on the  
4 day of the election, the voter may contact the county commissioner  
5 of registration or municipal clerk to determine the proper polling  
6 place location for the voter; and

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

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

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

16 (2) All offices to be filled, or nominations made therefor, or  
17 public questions to be voted upon, by the voters of the entire State  
18 or of the entire county shall be set forth in a newspaper or  
19 newspapers which, singly or in combination, have general  
20 circulation throughout the county;

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

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

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

30 f. The cost of publishing the notices required by this section  
31 shall be paid by the respective counties, unless otherwise provided  
32 for by law.

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

39 (cf: P.L.2017, c.206, s.2) **1**

40

41 <sup>1</sup>9. R.S.19:12-7 is amended to read as follows:

42 19:12-7. a. The county board in each county shall cause to be  
43 published in a newspaper or newspapers which, singly or in  
44 combination, are of general circulation throughout the county, a  
45 notice containing the information specified in subsection b. hereof,  
46 except for such of the contents as may be omitted pursuant to  
47 subsection c. or d. hereof. Such notice shall be published once  
48 during the 30 days next preceding the day fixed for the closing of

1 the registration books for the primary election, once during the  
2 calendar week next preceding the week in which the primary  
3 election for the general election is held, once during the 30 days  
4 next preceding the day fixed for the closing of the registration  
5 books for the general election, and once during the calendar week  
6 **【next】** preceding the week in which the early voting period for the  
7 general election **【is held】** begins.

8 b. Such notice shall set forth:

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

10 (a) That a primary election for making nominations for the  
11 general election, for the selection of members of the county  
12 committees of each political party, and in each presidential year for  
13 the selection of delegates and alternates to national conventions of  
14 political parties, will be held on the day and between the hours  
15 provided for by or pursuant to this Title.

16 (b) The place or places at which and hours during which a  
17 person may register, the procedure for the transfer of registration,  
18 and the date on which the books are closed for registration or  
19 transfer of registration.

20 (c) The several State, county, municipal and party offices or  
21 positions to be filled, or for which nominations are to be made, at  
22 such primary election.

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

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

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

48 (2) For the general election:

1 (a) That a general election will be held on the day and between  
2 the hours provided for by or pursuant to this Title, and the days,  
3 hours and places at which early voting shall be available in the  
4 county, and, where applicable, shall include annual school elections  
5 and annual fire district elections held on that date.

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

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

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

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

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

44 (3) For a school election:

45 (a) The day and time thereof,

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

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

1 (d) That a voter who, prior to the election, shall have moved  
2 within the same county without (i) filing, on or before the 21st day  
3 preceding the election, a notice of change of residence with the  
4 commissioner of registration of the county or the municipal clerk of  
5 the municipality in which the voter resides on the day of the  
6 election, (ii) returning the confirmation notice sent to the voter by  
7 the commissioner of registration of the county, if such a notice has  
8 been sent to the voter, or (iii) otherwise notifying the commissioner  
9 of registration of the voter's change of address within the county  
10 shall be permitted to correct the voter's registration and to vote in  
11 the school election by provisional ballot at the polling place of the  
12 district in which the voter resides on the day of the election,

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

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

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

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

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

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

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

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

41 f. The cost of publishing the notices required by this section  
42 shall be paid by the respective counties, unless otherwise provided  
43 for by law.

44 g. Notices required to be published or posted pursuant to this  
45 section shall set forth a general description of the contents of the  
46 voter information notice provided for in section 1 of P.L.2005,  
47 c.149 (C.19:12-7.1), how the notice may be viewed or obtained

1 prior to the day of an election, and that the notice will be posted in  
2 each polling place on the day of an election.<sup>1</sup>

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

4  
5 10. Section 1 of P.L.2005, c.149 (C.19:12-7.1) is amended to  
6 read as follows:

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

12 The notice shall contain:

13 the date of the election and the hours during which polling places  
14 will be open;

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

17 instruction for the use of the voting machine in that polling place  
18 and an explanation of what instructions for voting are available at  
19 the polling place for the voter;

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

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

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

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

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

33 an explanation of the right of the voter to receive a replacement  
34 ballot for a ballot that has been spoiled, destroyed, lost or never  
35 received;

36 an explanation of the right of the voter to ask for and receive  
37 assistance in voting;

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

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

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

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

1 such other statement, instruction or explanation the Secretary of  
2 State may deem appropriate to ensure the full and knowledgeable  
3 participation of the voter in the process.

4 The requirement to post this notice in each polling place shall  
5 not replace, supersede or void any other requirement set forth in law  
6 for the posting of information in each polling place apart from the  
7 voter information notice.

8 b. The Secretary of State shall prescribe the form and specific  
9 content of the voter information notice, which may be comprised of  
10 more than one page. If the notice is comprised of more than one  
11 page, each page shall be posted separately. For an election district  
12 in which the primary language of 10 percent or more of the  
13 registered voters is a language other than English, the Secretary of  
14 State shall prescribe an official version of the voter information  
15 notice in that other language or languages for use in that election  
16 district. The notice shall be posted in English and in the other  
17 language or languages in the polling places in each such district.  
18 The alternate language shall be determined based on information  
19 from the latest federal decennial census.

20 c. A county board of elections may modify or supplement the  
21 voter information notice used in a county or municipality to provide  
22 additional information specific to that county or a municipality in  
23 that county, provided, however, that any such modification or  
24 supplementation shall be submitted to the Secretary of State for  
25 prior approval.

26 d. The voter information notice shall be printed on each sample  
27 ballot, to the extent practicable, or if not practicable, information on  
28 how to view or obtain a copy of the voter information notice shall  
29 be printed on each sample ballot.

30 e. The voter information notice, including one modified or  
31 supplemented pursuant to subsection c. of this section, shall be  
32 made accessible on the official Internet site of the State by the  
33 Secretary of State and each county board of elections shall ensure  
34 that the official Internet site of the county contains a link to that  
35 notice.

36 f. The provisions of this section shall not give rise to a legal  
37 cause of action.

38 g. The State shall be liable for the costs incurred by local  
39 government entities for compliance with this section, and they shall  
40 be reimbursed for those costs, upon application, by the State  
41 Treasurer.

42 (cf: P.L.2009, c.79, s.30)

43  
44 11. R.S.19:14-21 is amended to read as follows:

45 19:14-21. The county clerk shall cause samples of the official  
46 general election ballot to be printed in English, but for each election  
47 district within the county in which the primary language of 10% or  
48 more of the registered voters is Spanish, shall cause samples of the

1 official general election ballot to be printed bilingually in English  
2 and Spanish.

3 a. In counties not having a superintendent of elections where  
4 the county board of elections does not have the equipment or  
5 facilities to address and mail sample ballot envelopes, the county  
6 clerk not later than noon of the eighth day prior to the start of the  
7 early voting period for the general election shall furnish to the  
8 municipal clerk of each municipality in his county one and one-  
9 tenth times as many such sample ballots and stamped envelopes as  
10 there are voters registered, less the number of voters who have been  
11 sent a confirmation notice pursuant to subsection d. of R.S.19:31-15  
12 and have not responded, to enable each district board in each  
13 municipality to mail one of such sample ballots to each voter who is  
14 registered in the municipality, except those voters who have been  
15 sent a confirmation notice pursuant to subsection d. of R.S.19:31-15  
16 and have not responded, for such election and shall take a receipt  
17 for the same from each of the municipal clerks, which receipt shall  
18 indicate the number of such sample ballots and stamped envelopes  
19 delivered by the county clerk and the date and hour of their  
20 delivery.

21 b. In counties having a superintendent of elections, and in other  
22 counties where the county board of elections may have the  
23 equipment or facilities to prepare a properly stamped envelope  
24 addressed to each registered voter in the county for mailing, the  
25 county clerk, not later than the thirtieth day preceding the start of  
26 the early voting period for the general election, shall furnish to the  
27 commissioner of registration located in his county one and one-  
28 tenth times as many stamped envelopes as there are registered  
29 voters in the county, less the number of voters who have been sent a  
30 confirmation notice pursuant to subsection d. of R.S.19:31-15 and  
31 have not responded, and not later than noon of the twelfth day  
32 preceding the start of the early voting period for the general election  
33 shall furnish to the commissioner of registration located in the  
34 county, one and one-tenth times as many sample ballots as there are  
35 registered voters in the county to enable the commissioner of  
36 registration of the county to mail one of such sample ballots to each  
37 voter registered in the county, except those voters who have been  
38 sent a confirmation notice pursuant to subsection d. of R.S.19:31-15  
39 and have not responded, for such election and shall take a receipt  
40 for the same from the commissioner of registration, which receipt  
41 shall indicate the number of such sample ballots and stamped  
42 envelopes delivered by the county clerk and the date and hour of  
43 their delivery. County boards of elections which elect to operate  
44 under the provisions of this paragraph shall notify their county clerk  
45 in sufficient time to enable him to make the necessary arrangements  
46 the first year.

47 c. The county clerk in counties having a superintendent of  
48 elections shall also deliver to the county board not later than the

1 twelfth day preceding the start of the early voting period for the  
2 general election 10 such sample ballots of each election district of  
3 each municipality in the county.

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

5  
6 12. R.S.19:14-22 is amended to read as follows:

7 19:14-22. The official general election sample ballots shall be as  
8 nearly as possible facsimiles of the official general election ballot to  
9 be voted at such election and shall have printed thereon, after the  
10 words which indicate the number of the election district for which  
11 such sample ballots are printed, the name of the school district,  
12 when appropriate, the number or name and municipality or  
13 municipalities of the fire district, when appropriate, the street  
14 address or location of the polling place in the election district, and  
15 the hours between which the polls shall be open. Such sample  
16 ballots shall be printed on paper different in color from the official  
17 general election ballot, and have the following words printed in  
18 large type at the top: "This ballot cannot be voted. It is a sample  
19 copy of the official general election ballot used on election day."  
20 The sample ballot shall also state clearly the days, hours and places  
21 at which early voting shall be available in the county.

22 (cf: P.L.2017, c.206, s.7)

23  
24 13. R.S.19:14-24 is amended to read as follows:

25 19:14-24. The municipal clerk to whom the sample ballots and  
26 stamped envelopes have been so delivered by the county clerk shall  
27 deliver the same at his office, or in any other way he sees fit, on or  
28 before noon of the Tuesday preceding the start of the early voting  
29 period for the general election, to a member or members of each  
30 district board, and shall take a receipt for the same from the  
31 member or members of the district boards of such municipality,  
32 which receipt shall indicate the number of sample ballots and  
33 stamped envelopes delivered by the municipal clerk and the date  
34 and hour of their delivery.

35 (cf: R.S.19:14-24)

36  
37 14. R.S.19:14-25 is amended to read as follows:

38 19:14-25. 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, all the  
41 members of each of the district boards shall prepare and deposit in  
42 the post office, on or before 12 noon on Wednesday preceding the  
43 start of the early voting period for the general election **[day]**, a  
44 properly stamped envelope containing a copy of the sample ballot  
45 printed in English, addressed to each registered voter in the district  
46 of such board at the address shown on the register, except that for  
47 districts in which the primary language of 10% or more of the  
48 registered voters is Spanish, a properly stamped envelope

1 containing a copy of the bilingual sample ballot, addressed to each  
2 registered voter in the district of such board at the address shown on  
3 the register shall be prepared and deposited. The board shall also  
4 post the appropriate sample ballots in the polling place in its  
5 district.

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

10 In counties having a superintendent of elections, and in other  
11 counties where the county board of elections shall elect to operate  
12 under the provisions of subsection b. of section 19:14-21 of this  
13 Title, the commissioner of registration shall prepare and deposit in  
14 the post office on or before 12:00 o'clock noon, on the Wednesday  
15 preceding the start of the early voting period for the general election  
16 **[day]**, a properly stamped envelope containing a copy of the  
17 sample ballot printed in English addressed to each registered voter  
18 in the county at the address shown on the registry, except that for  
19 districts in which the primary language of 10% or more of the  
20 registered voters is Spanish, a properly stamped envelope  
21 containing a copy of the bilingual sample ballot, addressed to each  
22 registered voter in the district of such board at the address shown on  
23 the register shall be prepared and deposited. The commissioner of  
24 registration shall return to the county clerk all ballots and envelopes  
25 not mailed or posted by him, with a sworn statement in writing  
26 signed by him that all the remainder of such ballots and envelopes  
27 have been mailed.

28 The county board of elections, in all counties having a  
29 superintendent of elections, and in other counties where the county  
30 board of elections shall elect to operate under the provisions of  
31 subsection b. of section 19:14-21 of this Title, shall, not later than  
32 noon of the second Monday preceding the start of the early voting  
33 period for the election, deliver or mail to the members of the district  
34 board three appropriate sample ballots for their respective election  
35 district. The board shall post the appropriate sample ballots in the  
36 polling place in its district.  
37 (cf: P.L.1974, c.30, s.3)  
38

39 15. 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 16. There is appropriated from the General Fund as State aid to  
29 each county governing body and to each municipal governing body  
30 that approves conducting early voting such sums as the State  
31 Treasurer and the Director of the Division of Budget and  
32 Accounting in the Department of the Treasury deem necessary to  
33 effectuate the purpose of section 6 of this act.

34

35 17. This act shall take effect immediately, or on the first day  
36 following the general election in November if the date of enactment  
37 occurs within 90 days preceding that election.