

SENATE, No. 2941

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED SEPTEMBER 21, 2020

Sponsored by:

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

Senator NELLIE POU

District 35 (Bergen and Passaic)

Co-Sponsored by:

Senator Testa

SYNOPSIS

Requires county boards of elections to establish ballot drop boxes at each office of municipal clerk.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/19/2021)

1 AN ACT requiring county boards of elections to establish ballot
2 drop boxes at each office of the municipal clerk and amending
3 P.L.2020, c.72.

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

7
8 1. Section 1 of P.L.2020, c.72 (C.19:63-16.1) is amended to
9 read as follows:

10 1. a. In addition to delivering a voted mail-in ballot by mail or
11 in person as provided under “The Vote By Mail Law,” P.L.2009,
12 c.79 (C.19:63-1 et seq.), a mail-in voter shall be entitled to deposit
13 the voter’s completed mail-in ballot in a ballot drop box established
14 by the county board of elections as provided under this section.
15 Each mail-in ballot deposited in a ballot drop box by the time
16 designated under current law for the closing of the polls for that
17 election shall be considered valid and shall be canvassed. If, at the
18 closing of the polls, a voter deposits a mail-in ballot at a ballot drop
19 box in a county in which the voter does not reside, the county board
20 of elections, upon discovering that fact, shall notify and timely
21 deliver the ballot to the county board of elections of the county in
22 which the voter resides, who shall accept the ballot for processing.
23 The limitations and prohibitions applicable to mail-in ballot bearers
24 under “The Vote By Mail Law,” P.L.2009, c.79 (C.19:63-1 et seq.)
25 shall apply under this section.

26 b. (1) For any election, the county board of elections in each
27 county shall establish ballot drop boxes where voters may deposit
28 their voted mail-in ballots at least 45 days before the election. The
29 ballot drop boxes shall be located throughout the county in a
30 manner specified under paragraph (2) of this subsection.

31 (2) (a) A ballot drop box shall mean a secured drop box that is
32 not required to be within view of a live person for monitoring. All
33 ballot drop boxes shall be available for use by a voter 24 hours a
34 day and shall be placed at locations equipped with security cameras
35 that allow for surveillance of the ballot drop box.

36 (b) At least one ballot drop box shall be located at each of the
37 following locations: any county government building in which the
38 main office of the county clerk is located; any municipal
39 government building in which the main office of the municipal
40 clerk is located **in municipalities with populations larger than**
41 **5,000 residents** in each municipality; the main campus of each
42 county community college; the main campus of each State college
43 or university; and the main campus of each independent four-year
44 college or university with enrollments larger than 5,000 students.

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 (c) 【The board of elections of any county that has fewer than 10
2 ballot drop boxes upon establishing the drop boxes at each location
3 required under subparagraph (b) of this paragraph shall establish
4 additional locations for ballot drop boxes, pursuant to the provisions
5 of subsection c. of this section, so that the county has no fewer than
6 10 ballot drop boxes. The additional drop boxes shall be placed at
7 county or municipal government buildings. To the best of their
8 ability, the board of elections of every county shall place secure
9 ballot drop boxes based on geographic location and population
10 density to best serve the voters of each county pursuant to the
11 regulations adopted pursuant to subsection c. of this section. The
12 Secretary of State shall establish guidelines for the placement of the
13 ballot drop boxes, the security of the ballot drop boxes, and the
14 schedule for ballot pickup from the ballot boxes.

15 (d)【 All ballot drop box locations shall be on sites that meet the
16 accessibility requirements applicable to polling places under
17 R.S.19:8-2 and shall be subject to the same compliance oversight
18 applicable to polling places under section 3 of P.L.1991, c.429
19 (C.19:8-3.3). A ballot drop box site shall be considered accessible
20 if it is in compliance with the federal “Americans with Disabilities
21 Act of 1990” (42 U.S.C. s. 12101 et seq.).

22 c. The Secretary of State, in consultation with county boards of
23 elections, shall establish the rules and regulations necessary to
24 ensure the secure and successful implementation of the mail-in
25 ballot drop boxes required by this section. In determining the ballot
26 drop box locations, the secretary and county boards of elections
27 shall consider, at a minimum, concentrations of population,
28 geographic areas, voter convenience, proximity to public
29 transportation, community-based locations, and security. The rules
30 and regulations shall include, but may not be limited to, criteria for
31 each county board of elections to:

32 (1) determine the number of ballot drop boxes required per voter
33 population, considering both the number of registered voters and
34 the number of registered mail-in voters in each county before each
35 election;

36 (2) select the geographic location of each ballot drop box,
37 ensuring an equitable distribution of ballot drop boxes across the
38 county to maximize convenience to voters;

39 (3) ensure the accessibility of ballot drop boxes and drop box
40 locations to persons with disabilities; and

41 (4) maintain the security of ballot drop boxes and of the ballots
42 deposited therein, including standards and procedures for ballot
43 retrieval by authorized persons only, and for ensuring the proper
44 chain of custody and safe storage of voted mail-in ballots before
45 each election.

46 (cf: P.L.2020, c.72, s.1)

