

[Second Reprint]

ASSEMBLY, No. 2131

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MARCH 7, 2022

Sponsored by:

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

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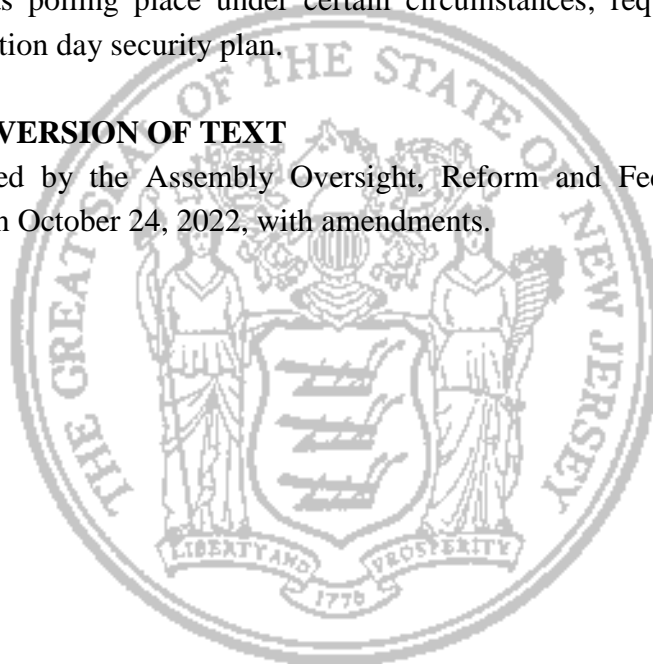
Assemblyman Caputo, Assemblywomen Haider, Jimenez, Assemblyman Stanley, Assemblywomen Park and Murphy

SYNOPSIS

Provides police officers may be present at senior residential center or school being used as polling place under certain circumstances; requires school to establish election day security plan.

CURRENT VERSION OF TEXT

As reported by the Assembly Oversight, Reform and Federal Relations Committee on October 24, 2022, with amendments.



(Sponsorship Updated As Of: 10/27/2022)

AN ACT providing that police officers may be present at a senior residential center ¹or public school¹ being used as a polling place under certain circumstances ¹**[and]**, requiring public schools to establish election day security plans,¹ amending R.S.19:6-16¹, and supplementing chapter 8 of Title 19 of the Revised Statutes¹.

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

1. R.S.19:6-16 is amended to read as follows:

19:6-16. a. The commission, committee, board or official having charge of the police department in any county or municipality shall not assign police officers to any district board in that county or municipality, in order to enforce the election laws, maintain order, peace and quiet during the hours of registry and election, assist the board by performing the duties of a board member, or serve at the polling place of that district board, or in order to perform other routine purposes related to the conduct of elections, except that a district board, superintendent of elections, or a county clerk may request that a police officer or sheriff's officer be assigned to transport specific election materials to a polling place or from a polling place to the district board or county clerk and a police officer or sheriff's officer may be assigned for that purpose. The commission, committee, board or official having charge of the police department in any county or municipality may assign one or more police officers to a senior residential center **[that has reported a threat or safety concern]** ¹or school¹ at the request of the center ¹or school¹, and any such officer assigned to a senior residential center ²or school² shall be in plain clothes and shall not interfere with any person present at the location for the purpose of voting.

If the center ¹or school¹ requests that a police officer be assigned, the center ¹or school¹ shall promptly notify the district board ¹no later than seven days prior to the day of the election and indicate the duration of their presence¹ and the district board shall follow the same procedure for notification in the manner specified in subsection b. of this section. Once notified, the county board of elections or superintendent of elections shall notify the Secretary of State in the same manner specified in subsection b. of this section.

b. Nothing in subsection a. of this section, subsection b. of 16 R.S.19:6-15, or subsection b. of section 2 of P.L.1991, c.306 (C.19:6-15.1) shall be construed to prohibit the dispatch, detail, or assignment of a police officer or other law enforcement officer due to a request for assistance made to the commission, committee,

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:

¹Assembly AOF committee amendments adopted September 29, 2022.

²Assembly AOF committee amendments adopted October 24, 2022.

1 board, body, authority, or official having charge of the police
2 department in any county or municipality, or to any other law
3 enforcement agency, for assistance with regard to a specific
4 emergency, allegation of criminal conduct, or disturbance that
5 exists at the time the request for assistance is made. The police
6 officers or law enforcement officers responding to the request for
7 assistance shall take any prompt actions as may be available and as
8 may be necessary in order to address the emergency, allegation, or
9 disturbance and ensure the continued orderly conduct of the election
10 and election processes, and shall remain present at that location
11 during the conduct of the election only as long as necessary to
12 investigate, address, and remove that specific emergency or
13 disturbance.

14 The district board shall promptly notify the county board of
15 elections or superintendent of elections, as appropriate, of the
16 dispatch of any police officer or other law enforcement officer in
17 response to a request for assistance in accordance with this
18 subsection. The county board of elections or superintendent of
19 elections, as appropriate, shall promptly notify the Secretary of
20 State of the dispatch of that police officer or other law enforcement
21 officer. The Secretary of State, county boards of elections, and
22 superintendents of elections shall maintain a record of all dispatches
23 issued and reported pursuant to this section, which shall include, but
24 need not be limited to, the time of the dispatch, polling place
25 location, reason for the dispatch, name of the police or law
26 enforcement officer, the police or law enforcement officer's badge
27 number, the duration of the police or law enforcement officer's
28 presence, and the immediate outcome of the dispatch. Information
29 obtained pursuant to this section is deemed to be a public or
30 government record and shall be subject to disclosure as provided in
31 the public records law, P.L.1963, c.73 (C.47:1A-1 et seq.).
32 (cf: P.L.2021, c.459, s.3)

33

34 ¹2. (New section) Beginning after January 1, 2023, all schools
35 serving as polling places shall be required to develop security plans
36 to prevent voters from having access to or the ability to interact
37 with students. The security plan shall include a designated area in
38 which voting shall take place that shall be locked and separate from
39 the rest of the school if school is in session during the time an
40 election is being held, provided the school has the ability to fulfil
41 the mandate. The Secretary of the Department of Education and the
42 Secretary of State shall notify schools of the security plan mandate
43 immediately after enactment.¹

44

45 ¹[2.] 3.¹ This act shall take effect immediately.