

[First Reprint]

**SENATE, No. 2912**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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INTRODUCED JUNE 23, 2022

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Co-Sponsored by:**

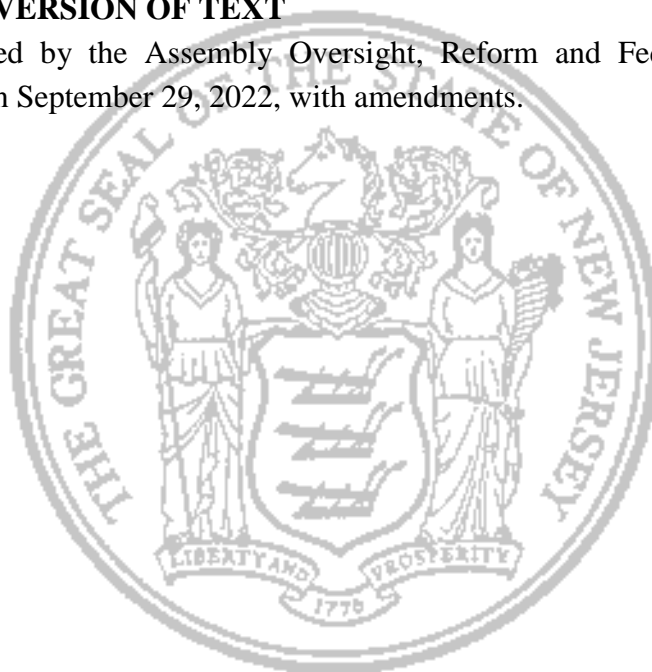
**Senators Holzapfel, Cunningham, Polistina, Pou and Zwicker**

**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 September 29, 2022, with amendments.



**(Sponsorship Updated As Of: 6/29/2022)**

1 AN ACT <sup>1</sup>**[**concerning police presence at public schools and senior  
2 residential centers**]** providing that police officers may be present  
3 at a senior residential center or public school<sup>1</sup> being used as a  
4 polling place <sup>1</sup>**[and]** under certain circumstances, requiring  
5 public schools to establish election day security plans,<sup>1</sup>  
6 amending R.S.19:6-16 <sup>1</sup>and supplementing chapter 8 of Title 19  
7 of the Revised Statutes<sup>1</sup>.

8  
9 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
10 *of New Jersey:*

11  
12 <sup>1</sup>**[**1. R.S.19:6-16 is amended to read as follows:

13 19:6-16. a. (1) The commission, committee, board or official  
14 having charge of the police department in any county or  
15 municipality shall not assign police officers to any district board in  
16 that county or municipality, in order to enforce the election laws,  
17 maintain order, peace and quiet during the hours of registry and  
18 election, assist the board by performing the duties of a board  
19 member, or serve at the polling place of that district board, or in  
20 order to perform other routine purposes related to the conduct of  
21 elections, except that a district board, superintendent of elections, or  
22 a county clerk may request that a police officer or sheriff's officer  
23 be assigned to transport specific election materials to a polling  
24 place or from a polling place to the district board or county clerk  
25 and a police officer or sheriff's officer may be assigned for that  
26 purpose.

27 **[**The**]** (2) Notwithstanding paragraph (1) of this subsection or  
28 any other law, rule, or regulation to the contrary, at the request of a  
29 public school or senior residential center, the commission,  
30 committee, board, or official having charge of the police department  
31 in any county or municipality may assign one or more police  
32 officers to a public school or a senior residential center that **[**has  
33 reported a threat or safety concern, and any such**]** is being used as a  
34 polling place during the conduct of an election. The purpose of an  
35 officer's presence at the public school or senior residential center  
36 shall be to maintain order and to provide security at that location  
37 during the conduct of the election. No officer assigned to a public  
38 school or a senior residential center shall **[not]** interfere with **[any]**  
39 a person present at the location for the purpose of voting.

40 b. Nothing in subsection a. of this section, subsection b. of  
41 R.S.19:6-15, or subsection b. of section 2 of P.L.1991, c.306  
42 (C.19:6-15.1) shall be construed to prohibit the dispatch, detail, or  
43 assignment of a police officer or other law enforcement officer due  
44 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:

<sup>1</sup>Assembly AOF committee amendments adopted September 29, 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)]<sup>1</sup>

33

34 <sup>1</sup>1. R.S.19:6-16 is amended to read as follows:

35 19:6-16. a. The commission, committee, board or official  
36 having charge of the police department in any county or  
37 municipality shall not assign police officers to any district board in  
38 that county or municipality, in order to enforce the election laws,  
39 maintain order, peace and quiet during the hours of registry and  
40 election, assist the board by performing the duties of a board  
41 member, or serve at the polling place of that district board, or in  
42 order to perform other routine purposes related to the conduct of  
43 elections, except that a district board, superintendent of elections, or  
44 a county clerk may request that a police officer or sheriff's officer  
45 be assigned to transport specific election materials to a polling  
46 place or from a polling place to the district board or county clerk  
47 and a police officer or sheriff's officer may be assigned for that  
48 purpose. The commission, committee, board or official having

1 charge of the police department in any county or municipality may  
2 assign one or more police officers to a senior residential center  
3 **【that has reported a threat or safety concern】** or school at the  
4 request of the center or school, and any such officer assigned to a  
5 senior residential center shall be in plain clothes and shall not  
6 interfere with any person present at the location for the purpose of  
7 voting.

8 If the center or school requests that a police officer be assigned,  
9 the center or school shall promptly notify the district board no later  
10 than seven days prior to the day of the election and indicate the  
11 duration of their presence and the district board shall follow the  
12 same procedure for notification in the manner specified in  
13 subsection b. of this section. Once notified, the county board of  
14 elections or superintendent of elections shall notify the Secretary of  
15 State in the same manner specified in subsection b. of this section.

16 b. Nothing in subsection a. of this section, subsection b. of 16  
17 R.S.19:6-15, or subsection b. of section 2 of P.L.1991, c.306  
18 (C.19:6-15.1) shall be construed to prohibit the dispatch, detail, or  
19 assignment of a police officer or other law enforcement officer due  
20 to a request for assistance made to the commission, committee,  
21 board, body, authority, or official having charge of the police  
22 department in any county or municipality, or to any other law  
23 enforcement agency, for assistance with regard to a specific  
24 emergency, allegation of criminal conduct, or disturbance that  
25 exists at the time the request for assistance is made. The police  
26 officers or law enforcement officers responding to the request for  
27 assistance shall take any prompt actions as may be available and as  
28 may be necessary in order to address the emergency, allegation, or  
29 disturbance and ensure the continued orderly conduct of the election  
30 and election processes, and shall remain present at that location  
31 during the conduct of the election only as long as necessary to  
32 investigate, address, and remove that specific emergency or  
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42 superintendents of elections shall maintain a record of all dispatches  
43 issued and reported pursuant to this section, which shall include, but  
44 need not be limited to, the time of the dispatch, polling place  
45 location, reason for the dispatch, name of the police or law  
46 enforcement officer, the police or law enforcement officer's badge  
47 number, the duration of the police or law enforcement officer's  
48 presence, and the immediate outcome of the dispatch. Information

1 obtained pursuant to this section is deemed to be a public or  
2 government record and shall be subject to disclosure as provided in  
3 the public records law, P.L.1963, c.73 (C.47:1A-1 et seq.).<sup>1</sup>  
4 (cf: P.L.2021, c.459, s.3)

5  
6 <sup>1</sup>2. (New section) Beginning after January 1, 2023, all schools  
7 serving as polling places shall be required to develop security plans  
8 to prevent voters from having access to or the ability to interact  
9 with students. The security plan shall include a designated area in  
10 which voting shall take place that shall be locked and separate from  
11 the rest of the school if school is in session during the time an  
12 election is being held, provided the school has the ability to fulfil  
13 the mandate. The Secretary of the Department of Education and the  
14 Secretary of State shall notify schools of the security plan mandate  
15 immediately after enactment.<sup>1</sup>

16  
17 <sup>1</sup>**[2.] 3.**<sup>1</sup> This act shall take effect immediately.