

[Second Reprint]

SENATE, No. 2912

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 23, 2022

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

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)

Co-Sponsored by:

Senators Holzapfel, Cunningham, Polistina, Pou, Zwicker, 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)

1 AN ACT ¹**[**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 school¹ being used as a
 4 polling place ¹**[and]** under certain circumstances, requiring
 5 public schools to establish election day security plans,¹
 6 amending R.S.19:6-16 ^{1 2 2} and supplementing chapter 8 of Title
 7 19 of the Revised Statutes¹.

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

11
 12 ¹**[**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:

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)]¹

33

34 ¹1. 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 ²or school² shall be in plain clothes and
6 shall not interfere with any person present at the location for the
7 purpose of 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
33 disturbance.

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35 elections or superintendent of elections, as appropriate, of the
36 dispatch of any police officer or other law enforcement officer in
37 response to a request for assistance in accordance with this
38 subsection. The county board of elections or superintendent of
39 elections, as appropriate, shall promptly notify the Secretary of
40 State of the dispatch of that police officer or other law enforcement
41 officer. The Secretary of State, county boards of elections, and
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.).¹
4 (cf: P.L.2021, c.459, s.3)

5
6 ¹2. (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.¹

16

17 ¹[2.] 3.¹ This act shall take effect immediately.