SENATE STATE GOVERNMENT, WAGERING, TOURISM & HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

SENATE, No. 1230

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 12, 2024

The Senate State Government, Wagering, Tourism & Historic Preservation Committee reports favorably and with committee amendments Senate Bill No. 1230.

Current law prohibits electioneering inside a polling place and within 100 feet of the outside entrance of a polling place or within 100 feet of a ballot drop box. Electioneering consists of distributing or displaying circular or printed materials that offer suggestions about how to vote or which solicit support for a candidate, party, or public question. As amended by the committee, this bill expands current law to prohibit electioneering within 25 feet of a person waiting in line in an area that is farther than 100 feet from the polling place or ballot drop box.

Current law also prohibits the following actions, which constitute crimes of the third degree:

(1) tampering, defacing, or interfering with any polling booth;

(2) obstructing or interfering with any voter, or loitering in or near a polling place; and

(3) spending an inordinate amount of time in the polling booth.

This bill expands current law to also apply such prohibited actions to ballot drop boxes.

Current law also classifies electioneering as crime of the third degree in R.S.19:34-6, but as a disorderly persons offense in R.S.19:34-15. As amended by the committee, this bill provides for consistency in the law and makes electioneering a disorderly persons offense.

As amended by the committee, the bill clarifies that the provisions concerning electioneering within 25 feet of a person waiting in line at a polling place or ballot drop box or in an area that is farther than 100 feet thereof would not be construed to prohibit:

(1) the placement of newspaper racks or vending machines, or other newspaper sales or dissemination sites, including home delivery sites, that distribute or display printed matter; or

(2) the provision of nonpartisan voter assistance to persons waiting in line, provided that such assistance does not involve

support for, or opposition against, any candidate, party, or public question.

The bill, as amended, specifies that these exempted activities concerning newspapers and voter assistance, as described under (1) and (2) above, would not be construed to be a violation of the bill.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amendments:

(1) specify that the electioneering prohibition also applies within 25 feet of a person waiting in line in an area that is farther than 100 feet from the polling place or ballot drop box;

(2) make electioneering a disorderly persons offense; and

(2) provide that the exempted activities concerning newspapers and voter assistance would not be construed to be a violation of the bill.