

ASSEMBLY, No. 5641

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED OCTOBER 19, 2026

Sponsored by:

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblyman ALEXANDER "AVI" SCHNALL

District 30 (Monmouth and Ocean)

Assemblywoman CARMEN THERESA MORALES

District 34 (Essex)

SYNOPSIS

“Election Integrity and Voter Protection Act”; restricts presence of active duty military and certain law enforcement near polling places and ballot drop boxes.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the presence of troops and certain law
2 enforcement near polling places and ballot drop boxes,
3 designated the “Election Integrity and Voter Protection Act,” and
4 amending various parts of the statutory law.

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

8
9 1. The Legislature finds and declares that:

10 a. Free, fair, and secure elections are fundamental to
11 democracy, and all eligible voters must be able to cast a ballot
12 without fear of intimidation, interference, or disruption.

13 b. The Elections Clause of the United States Constitution vests
14 each state with the authority and responsibility to ensure that every
15 citizen has the ability to vote, that elections run efficiently and in a
16 secure manner, and that elections officials are able to fulfill their
17 statutory obligations.

18 c. To achieve this, New Jersey has long had restrictions on
19 certain political activities around polling places and, in more recent
20 years, has limited the presence of law enforcement where it may
21 interfere with the administration of elections in this State or
22 negatively affect the ability of voters to exercise their right to vote.
23 The State has implemented these restrictions while also allowing
24 the presence of law enforcement when necessary to respond to
25 emergencies and disturbances, providing for a balanced approach to
26 ensure the security of elections and the safety of voters and poll
27 workers.

28 d. In similar respects, federal law recognizes and supports the
29 sanctity of polling places. Accordingly federal law restricts the
30 presence of certain members of the military and other federal
31 officials near polling places, ensuring that states can run elections
32 without unnecessary or burdensome interference from the federal
33 government.

34 e. By aligning State and federal law with regard to the presence
35 of law enforcement, federal officers, and members of the military,
36 this bill aims to preserve the integrity of New Jersey elections,
37 protect polling places from intimidation, and maintain safe and
38 secure access to the ballot box for every eligible voter.

39

40 2. R.S.19:6-15 is amended to read as follows:

41 19:6-15. a. The district boards of every election district shall
42 preserve the peace and maintain good order in their respective
43 polling places during the progress of all elections and the counting
44 of the votes cast thereat. To that end, each member of every such
45 board, during the progress of an election and the counting and

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 canvassing of the votes, shall be and hereby is invested and charged
2 with all the powers and duties of constables of this State in criminal
3 matters.

4 b. Such election board, or any members thereof, shall not
5 request the authorities of any municipality, county, **【or】** the State,
6 the federal government, or Armed Forces of the United States, or
7 the body or officer having charge and direction of **【the police**
8 **force】** a law enforcement agency in such municipality, county, or
9 the State, or the body or officer having charge and direction of any
10 federal law enforcement agency, the Armed Forces of the United
11 States, or the New Jersey National Guard, to detail one or more
12 **【police】** law enforcement officers or members of the Armed Forces
13 of the United States or of the New Jersey National Guard to assist
14 in preserving the peace and good order in and about such polling
15 place, and no such request shall be complied with by the body or
16 officer to whom the same is made.

17 c. The election board or the superintendent of elections in the
18 county in which an election is held may contact a law enforcement
19 agency if information is obtained prior to or during the election that
20 in the judgment of the election board or superintendent of elections
21 should be communicated to a law enforcement agency.

22 d. Nothing in this section shall be construed to prohibit any
23 activity otherwise permitted under R.S.19:6-16.

24 e. For purposes of this section, “law enforcement officer”
25 means a member of any federal, State, county, or municipal law
26 enforcement agency, department, or division of those governments
27 who is statutorily empowered to act for the detection, investigation,
28 arrest, conviction, detention, or rehabilitation of persons violating
29 the laws of this State or of the United States.

30 (cf: P.L.2021, c.459, s.1)

31

32 3. Section 2 of P.L.1991, c.306 (C.19:6-15.1) is amended to
33 read as follows:

34 2. a. (1) No person who is employed as a **【police】** law
35 enforcement officer, either full-time or part-time, by the federal
36 government or by the State or an instrumentality thereof, or by a
37 political subdivision of the State or an instrumentality thereof,
38 including a person appointed as a police officer by an institution of
39 higher education pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.),
40 shall serve as a member of a district board of elections, unless the
41 person is off-duty, or serve as a duly authorized challenger for a
42 political party or a candidate or on a public question in the
43 municipality in which that person is employed, or if employed by an
44 institution of higher education, any municipality in which the
45 institution is physically located, or if employed by a county or the
46 State, in the county in which that person is employed or stationed,
47 respectively, or wear a **【police】** law enforcement officer's uniform

1 or carry an exposed weapon at any time, including at a polling place
2 on an election day.

3 (2) No person who serves as a member of the Armed Forces of
4 the United States or of the New Jersey National Guard shall serve
5 as a member of a district board of elections or serve as a duly
6 authorized challenger for a political party or a candidate or for a
7 public question in the municipality in which the member is
8 stationed, if the member is on active duty orders, or wear an official
9 military uniform or carry an exposed weapon at a polling place on
10 election day.

11 (3) Nothing in this [subsection] section shall be construed to
12 prohibit a [police] law enforcement officer or member of the
13 Armed Forces of the United States or of the New Jersey National
14 Guard who is a candidate for an office and whose name appears
15 upon the ballot to be voted for an election from acting as a
16 challenger during that election as may be permitted by another
17 provision of law for a candidate to act as a challenger.

18 b. No person employed as a [police] law enforcement officer
19 as described in subsection a. of this section, or who serves as a
20 member of the Armed Forces of the United States or of the New
21 Jersey National Guard, whether on or off-duty or on active duty
22 orders, or whether in or out of uniform, shall remain or stand within
23 100 feet of a polling place during the conduct of an election unless
24 present at the location in response to a request for assistance in
25 accordance with R.S.19:6-16 or as otherwise provided herein or
26 pursuant to [this act,] P.L.2021 c.459.

27 c. Nothing herein shall be interpreted to prohibit a [police
28 officer or] law enforcement officer or member of the Armed Forces
29 of the United States or of the New Jersey National Guard from:

30 traveling to and from, or remaining within, their personal
31 residence if that residence is within 100 feet of a polling place;

32 voting at that polling place in a personal capacity; or

33 escorting to or from, or both, a polling place a person who may
34 require assistance of the officer.

35 d. The Attorney General may bring a civil action in the
36 appropriate Superior Court for injunctive relief with respect to a
37 violation of subsection a. or subsection b. of this section.

38 e. For purposes of this section, "law enforcement officer"
39 means a member of any federal, State, county, or municipal law
40 enforcement agency, department, or division of those governments
41 who is statutorily empowered to act for the detection, investigation,
42 arrest, conviction, detention, or rehabilitation of persons violating
43 the laws of this State or of the United States.

44 f. Nothing herein shall be interpreted to prohibit an election
45 observer sent to observe the conduct of an election by Congress
46 pursuant to 52 U.S.C. s.21083a, by the United States Department of
47 Justice pursuant to the Voting Rights Act of 1965, 52 U.S.C.

1 s.10301 et seq., as amended, or by the New Jersey Attorney General
2 pursuant to the “John R. Lewis Voter Empowerment Act of New
3 Jersey,” P.L.2026, c.31 (C.19:4A-1 et seq.) from entering or
4 remaining in a polling place.
5 (cf: P.L.2021, c.459, s.2)

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

8 19:6-16. a. The commission, committee, board or official having
9 charge of the police department in any county or municipality shall
10 not assign **【police】** law enforcement officers to any district board in
11 that county or municipality, in order to enforce the election laws,
12 maintain order, peace and quiet during the hours of registry and
13 election, assist the board by performing the duties of a board
14 member, or serve at the polling place of that district board, or in
15 order to perform other routine purposes related to the conduct of
16 elections, except that a district board, superintendent of elections, or
17 a county clerk may request that a **【police officer or sheriff's】** county
18 or municipal law enforcement officer be assigned to transport
19 specific election materials to a polling place or from a polling place
20 to the district board or county clerk and a **【police officer or**
21 **sheriff's】** county or municipal law enforcement officer may be
22 assigned for that purpose. The commission, committee, board or
23 official having charge of the police department in any county or
24 municipality may assign one or more **【police】** county or municipal
25 law enforcement officers to a senior residential center that has
26 reported a threat or safety concern, and any such officer assigned to
27 a senior residential center shall not interfere with any person
28 present at the location for the purpose of voting.

29 b. Nothing in subsection a. of this section, subsection b. of
30 R.S.19:6-15, or subsection b. of section 2 of P.L.1991, c.306
31 (C.19:6-15.1) shall be construed to prohibit the dispatch, detail, or
32 assignment of a **【police officer or other】** law enforcement officer
33 due to a request for assistance made to the commission, committee,
34 board, body, authority, or official having charge of the police
35 department in any county or municipality, or to any other law
36 enforcement agency, for assistance with regard to a specific
37 emergency, allegation of criminal conduct, or disturbance that
38 exists at the time the request for assistance is made. The **【police**
39 **officers or】** law enforcement officers responding to the request for
40 assistance shall take any prompt actions as may be available and as
41 may be necessary in order to address the emergency, allegation, or
42 disturbance and ensure the continued orderly conduct of the election
43 and election processes, and shall remain present at that location
44 during the conduct of the election only as long as necessary to
45 investigate, address, and remove that specific emergency or
46 disturbance.

1 The district board shall promptly notify the county board of
2 elections or superintendent of elections, as appropriate, of the
3 dispatch of any [police officer or other] law enforcement officer in
4 response to a request for assistance in accordance with this
5 subsection. The county board of elections or superintendent of
6 elections, as appropriate, shall promptly notify the Secretary of
7 State of the dispatch of that [police officer or other] law
8 enforcement officer. The Secretary of State, county boards of
9 elections, and superintendents of elections shall maintain a record
10 of all dispatches issued and reported pursuant to this section, which
11 shall include, but need not be limited to, the time of the dispatch,
12 polling place location, reason for the dispatch, name of the [police
13 or] law enforcement officer, the [police or] law enforcement
14 officer's badge number, the duration of the [police or] law
15 enforcement officer's presence, and the immediate outcome of the
16 dispatch. Information obtained pursuant to this section is deemed
17 to be a public or government record and shall be subject to
18 disclosure as provided in the public records law, P.L.1963, c.73
19 (C.47:1A-1 et seq.).

20 c. For purposes of this section, "law enforcement officer"
21 means a member of any federal, State, county, or municipal law
22 enforcement agency, department, or division of those governments
23 who is statutorily empowered to act for the detection, investigation,
24 arrest, conviction, detention, or rehabilitation of persons violating
25 the laws of this State or of the United States.

26 d. Nothing in subsection a. of this section, subsection b. of
27 R.S.19:6-15, or subsection b. of section 2 of P.L.1991, c.306
28 (C.19:6-15.1) shall be construed to prohibit the Governor from
29 directing one or more members of the New Jersey National Guard
30 to a polling place or ballot drop box location for the purpose of
31 ensuring voter access to polling places or ballot drop boxes, in
32 response to a threat to obstruct access to the polling place or ballot
33 drop box location. Any member of the New Jersey National Guard
34 assigned to a polling place or ballot drop box location shall not
35 interfere with any person present at the location for the purpose of
36 voting.

37 (cf: P.L.2021, c.459, s.3)

38

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

41 1. a. In addition to delivering a voted mail-in ballot by mail or in
42 person as provided under "The Vote By Mail Law," P.L.2009, c.79
43 (C.19:63-1 et seq.), a mail-in voter shall be entitled to deposit the
44 voter's completed mail-in ballot in a ballot drop box established by
45 the county board of elections as provided under this section. Each
46 mail-in ballot deposited in a ballot drop box by the time designated
47 under current law for the closing of the polls for that election shall
48 be considered valid and shall be canvassed. If, at the closing of the

1 polls, a voter deposits a mail-in ballot at a ballot drop box in a
2 county in which the voter does not reside, the county board of
3 elections, upon discovering that fact, shall notify and timely deliver
4 the ballot to the county board of elections of the county in which
5 the voter resides, who shall accept the ballot for processing. The
6 limitations and prohibitions applicable to mail-in ballot bearers
7 under "The Vote By Mail Law," P.L.2009, c.79 (C.19:63-1 et seq.)
8 shall apply under this section.

9 b. (1) For any election, the county board of elections in each
10 county shall establish ballot drop boxes where voters may deposit
11 their voted mail-in ballots at least 45 days before the election. The
12 ballot drop boxes shall be located throughout the county in a
13 manner specified under paragraph (2) of this subsection. The
14 county board of elections may establish a pickup schedule to
15 retrieve mail-in ballots deposited in ballot drop boxes, consistent
16 with the guidelines established by the Secretary of State pursuant to
17 subparagraph (c) of paragraph (2) of this subsection.

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

23 (b) Beginning with the 2021 general election, at least one ballot
24 drop box shall be located: at any county government building in
25 which the main office of the county clerk is located; in each
26 municipality with a population larger than 5,000 residents; at the
27 main campus of each State college or university; and the main
28 campus of each independent four-year college or university with
29 enrollments larger than 5,000 students. Notwithstanding the
30 locational criteria established by this subparagraph, whenever two
31 or more ballot drop box locations are separated by a distance of less
32 than 2,000 feet, the board of elections in each county shall
33 determine secondary locations for those ballot drop boxes in
34 compliance with the requirements of this section. The secondary
35 ballot drop box locations shall be located within the municipality
36 where those ballot drop boxes were originally located and shall be
37 approved by a majority vote of the members of the board of
38 elections. However, in the event of a tie in the votes cast by the
39 members of the board of elections, the county clerk shall cast the
40 deciding vote. Whenever possible, at least one ballot drop box shall
41 be located in a municipality with an average per capita income or a
42 median family income at or below 250% of the federal poverty
43 guideline according to the most recent federal American
44 Community Survey.

45 (c) The board of elections in each county shall establish no fewer
46 than 10 ballot drop boxes. To the best of their ability, the board of
47 elections of every county shall place secure ballot drop boxes based
48 on geographic location and population density to best serve the

1 voters of each county in compliance with the guidelines adopted
2 pursuant to subsection c. of this section. The Secretary of State
3 shall establish guidelines for the placement of the ballot drop boxes,
4 the security of the ballot drop boxes, and the schedule for ballot
5 pickup from the ballot boxes.

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

13 (e) Except as otherwise provided herein, no ballot drop box shall
14 be located inside, or within 100 feet of an entrance or exit, of a
15 State, county, or municipal police station, or a federal law
16 enforcement agency.

17 Notwithstanding the provisions of this subparagraph, a ballot
18 drop box that has already been installed and permanently affixed
19 prior to the effective date of this act, P.L.2021, c.459, at any of the
20 following locations may remain at that location notwithstanding
21 that the ballot drop box is within 100 feet of an entrance or exit of a
22 State, county, or municipal police station if the county
23 commissioners approve the continued presence at that location by a
24 majority vote of the commissioners and with the reasons therefor
25 subject to public disclosure:

26 any county government building in which the main office of the
27 county clerk is located; any municipal government building in
28 which the main office of the municipal clerk is located in
29 municipalities with populations larger than 5,000 residents; the
30 main campus of a county community college; the main campus of a
31 State college or university; and the main campus of an independent
32 four-year college or university with enrollments larger than 5,000
33 students.

34 Notwithstanding the provisions of this subparagraph, a ballot
35 drop box that has already been installed and permanently affixed
36 within 100 feet of the entrance or exit of a federal law enforcement
37 agency prior to the effective date of this act, P.L. , c. (pending
38 before the Legislature as this bill), may remain at that location if the
39 county commissioners approve the continued presence at that
40 location by a majority vote of the commissioners and with the
41 reasons therefor subject to public disclosure.

42 (f) (i) Except as otherwise permitted herein, no federal, State,
43 county, or municipal **police** law enforcement officer, or anyone
44 who is on active duty orders as a member of the Armed Forces of
45 the United States or of the New Jersey National Guard, shall remain
46 or stand within 100 feet of a ballot drop box in use during the
47 conduct of an election. Nothing herein shall be interpreted to
48 prohibit the **police** law enforcement officer or member of the

1 Armed Forces of the United States or of the New Jersey National
2 Guard from:

3 voting at that ballot drop box in a personal capacity;
4 traveling to and from, or remaining within, their personal
5 residence if that residence is within 100 feet of a ballot drop box;
6 investigating, addressing, or removing any cause for a
7 disturbance, or otherwise responding to a request for assistance, on
8 or around the premises of the location of that ballot drop box; or
9 escorting to or from, or both, a ballot drop box or the premise on
10 which it is located any person who may require the assistance of the
11 officer.

12 (ii) The Attorney General may bring a civil action in the
13 appropriate Superior Court for injunctive relief with respect to a
14 violation of this subparagraph.

15 (iii) For purposes of this subparagraph, “law enforcement
16 officer” means a member of any federal, State, county, or municipal
17 law enforcement agency, department, or division of those
18 governments who is statutorily empowered to act for the detection,
19 investigation, arrest, conviction, detention, or rehabilitation of
20 persons violating the laws of this State or of the United States.

21 (g) No person shall wear, display, sell, give, or provide any
22 political or campaign slogan, badge, button, or other insignia
23 associated with any political party or candidate within 100 feet of a
24 ballot drop box in use during the conduct of an election, except with
25 respect to the badge furnished by the county board as provided by
26 law. A person violating the provisions of this subparagraph shall be
27 guilty of a disorderly persons offense.

28 c. The Secretary of State, in consultation with county boards of
29 elections, shall establish the guidelines necessary to ensure the
30 secure and successful implementation of the mail-in ballot drop
31 boxes required by this section to ensure adequate access in various
32 geographic areas of the county. In determining the ballot drop box
33 locations, the secretary and county boards of elections shall
34 consider, at a minimum, concentrations of population, geographic
35 areas, voter convenience, proximity to public transportation,
36 community-based locations, travel time to the location, proximity to
37 other voting locations and ballot drop boxes, commuter traffic
38 patterns, and security. The guidelines shall include, but may not be
39 limited to, criteria for each county board of elections to:

40 (1) determine the number of ballot drop boxes required per voter
41 population, considering both the number of registered voters and
42 the number of registered mail-in voters in each county before each
43 election;

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

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

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

6 d. Each county clerk shall include the locations of the ballot
7 drop boxes established in the county along with the instructions
8 furnished with the mail-in ballot package sent to each mail-in voter
9 pursuant to section 7 of P.L.2009, c.79 (C.19:63-7). At least 45
10 days before each election, each county board of elections shall
11 cause to be published on their respective websites the location of
12 the ballot drop boxes in each county, and shall provide this
13 information to the Secretary of State for publishing the same on the
14 Division of Elections website.

15 e. Whenever a municipal, school, or special election is held,
16 the board shall, at a minimum, open the ballot drop box located
17 geographically closest to the municipal government building in
18 which the main office of the municipal clerk is located and the
19 ballot drop box located at the board of elections or county office, if
20 one is placed at that location. When a school election encompasses
21 more than one municipality, the board shall be responsible for the
22 selection of the ballot drop box location with respect to each
23 municipality.

24 (cf: P.L.2022, c.70, s.4)

25
26 6. This act shall take effect immediately.
27
28

29 STATEMENT

30
31 This bill, designated as the “Election Integrity and Voter
32 Protection Act,” restricts the presence of active duty military and
33 certain law enforcement near polling places and ballot drop boxes
34 in this State.

35 Under current law, State and local law enforcement officers are
36 restricted from standing or remaining within 100 feet of a polling
37 place or a ballot drop box during the conduct of an election. This
38 bill additionally restricts federal law enforcement officers and
39 active duty members of the Armed Forces of the United States or of
40 the New Jersey National Guard from standing or remaining within
41 100 feet of a polling place or ballot drop box during the conduct of
42 an election. Current law provides certain exceptions to when State
43 and local law enforcement officers may stand or remain within 100
44 feet of a polling place or a ballot drop box. The bill applies those
45 same exceptions to federal law enforcement officers and active duty
46 members of the Armed Forces of the United States or of the New
47 Jersey National Guard. The bill adds an exception for when
48 members of the New Jersey National Guard are called upon by the

1 Governor to protect voter access to polling places and ballot drop
2 boxes.

3 The bill also allows the Attorney General to bring a civil action
4 in the appropriate Superior Court for injunctive relief to prevent
5 violations of the bill's provisions.

6 The bill defines "law enforcement officer" to mean a member of
7 any federal, State, county, or municipal law enforcement agency,
8 department, or division of those governments who is statutorily
9 empowered to act for the detection, investigation, arrest, conviction,
10 detention, or rehabilitation of persons violating the laws of this
11 State or of the United States.