

SENATE, No. 4842

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 19, 2026

Sponsored by:
Senator BRIAN P. STACK
District 33 (Hudson)

SYNOPSIS

“Voter Protection and Law Enforcement Neutrality Act.”

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning law enforcement activity near polling places
2 and ballot drop box locations, amending P.L.1991, c.306 and
3 P.L.2020, c.72, and supplementing chapter 6 of Title 19 of the
4 Revised Statutes.

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

8
9 1. (New section) This act shall be known and may be cited as
10 the “Voter Protection and Law Enforcement Neutrality Act.”

11
12 2. (New section) The Legislature finds and declares that:

13 a. The right of every eligible voter to cast a ballot freely and
14 without intimidation, threat, coercion, surveillance, or deterrence is
15 fundamental to representative government.

16 b. New Jersey has a compelling interest in administering safe
17 and orderly elections, preserving unobstructed access to polling
18 places, ballot drop box locations, and counting centers, and
19 maintaining public confidence that governmental power will not be
20 used to influence voter participation.

21 c. The visible concentration of armed, masked, or tactically
22 equipped law-enforcement officers, or the conduct of civil
23 enforcement operations near an election location, may deter
24 reasonable voters from approaching or entering that location even
25 when proof of a specific purpose to intimidate cannot be
26 established.

27 d. This act, P.L. , c. (C.) (pending before the
28 Legislature as this bill), regulates the conduct of law enforcement
29 officers near polling places and ballot drop box locations, without
30 regard to the officer’s employing agency, level of government,
31 immigration authority, political affiliation, or viewpoint.

32 e. The Legislature intends to preserve emergency response,
33 election security, judicial-warrant execution in circumstances that
34 cannot reasonably be delayed, and other necessary law enforcement
35 functions while preventing avoidable interference with voting.

36 f. The Legislature intends for this act, P.L. , c. (C.)
37 (pending before the Legislature as this bill), to operate to the fullest
38 extent permitted by the United States Constitution, federal statutes,
39 and federal regulations, and does not intend to authorize the arrest,
40 detention, or physical obstruction of a federal officer performing
41 official duties.

42
43 3. Section 2 of P.L.1991, c.306 (C.19:6-15.1) is amended to read
44 as follows:

45 2. a. No person who is employed as a police officer, either full-
46 time or part-time, by the State or an instrumentality thereof, or by a

**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 political subdivision of the State or an instrumentality thereof,
2 including a person appointed as a police officer by an institution of
3 higher education pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.),
4 shall serve as a member of a district board of elections, unless the
5 person is off-duty, or serve as a duly authorized challenger for a
6 political party or a candidate or on a public question in the
7 municipality in which that person is employed, or if employed by an
8 institution of higher education, any municipality in which the
9 institution is physically located, or if employed by a county or the
10 State, in the county in which that person is employed or stationed,
11 respectively, or wear a police officer's uniform or carry an exposed
12 weapon at any time, including at a polling place on an election day.
13 Nothing in this subsection shall be construed to prohibit a police
14 officer 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 officer as described in
19 subsection a. of this section, whether on or off-duty or whether in or
20 out of uniform, shall remain or stand within **【100】** 200 feet of a
21 polling place during the conduct of an election unless present at the
22 location in response to a request for assistance in accordance with
23 R.S.19:6-16 or as otherwise provided herein or pursuant to this act,
24 P.L.2021 c.459.

25 c. Nothing herein shall be interpreted to prohibit a police
26 officer or law enforcement officer from:

27 traveling to and from, or remaining within, their personal
28 residence if that residence is within **【100】** 200 feet of a polling
29 place;

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

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

33 (cf: P.L.2021, c.459, s.2)
34

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

37 1. a. In addition to delivering a voted mail-in ballot by mail or in
38 person as provided under "The Vote By Mail Law," P.L.2009, c.79
39 (C.19:63-1 et seq.), a mail-in voter shall be entitled to deposit the
40 voter's completed mail-in ballot in a ballot drop box established by
41 the county board of elections as provided under this section. Each
42 mail-in ballot deposited in a ballot drop box by the time designated
43 under current law for the closing of the polls for that election shall
44 be considered valid and shall be canvassed. If, at the closing of the
45 polls, a voter deposits a mail-in ballot at a ballot drop box in a
46 county in which the voter does not reside, the county board of
47 elections, upon discovering that fact, shall notify and timely deliver
48 the ballot to the county board of elections of the county in which

1 the voter resides, who shall accept the ballot for processing. The
2 limitations and prohibitions applicable to mail-in ballot bearers
3 under "The Vote By Mail Law," P.L.2009, c.79 (C.19:63-1 et seq.)
4 shall apply under this section.

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

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

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

41 (c) The board of elections in each county shall establish no fewer
42 than 10 ballot drop boxes. To the best of their ability, the board of
43 elections of every county shall place secure ballot drop boxes based
44 on geographic location and population density to best serve the
45 voters of each county in compliance with the guidelines adopted
46 pursuant to subsection c. of this section. The Secretary of State
47 shall establish guidelines for the placement of the ballot drop boxes,

1 the security of the ballot drop boxes, and the schedule for ballot
2 pickup from the ballot boxes.

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

10 (e) Except as otherwise provided herein, no ballot drop box shall
11 be located inside, or within **100** 200 feet of an entrance or exit, of
12 a State, county, or municipal police station.

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

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

30 (f) Except as otherwise permitted herein, no State, county, or
31 municipal police officer shall remain or stand within 100 feet of a
32 ballot drop box in use during the conduct of an election. Nothing
33 herein shall be interpreted to prohibit the police officer from:

34 voting at that ballot drop box in a personal capacity;

35 traveling to and from, or remaining within, their personal
36 residence if that residence is within **100** 200 feet of a ballot drop
37 box;

38 investigating, addressing, or removing any cause for a
39 disturbance, or otherwise responding to a request for assistance, on
40 or around the premises of the location of that ballot drop box; or

41 escorting to or from, or both, a ballot drop box or the premise on
42 which it is located any person who may require the assistance of the
43 officer.

44 (g) No person shall wear, display, sell, give, or provide any
45 political or campaign slogan, badge, button, or other insignia
46 associated with any political party or candidate within 100 feet of a
47 ballot drop box in use during the conduct of an election, except with
48 respect to the badge furnished by the county board as provided by

1 law. A person violating the provisions of this subparagraph shall be
2 guilty of a disorderly persons offense.

3 c. The Secretary of State, in consultation with county boards of
4 elections, shall establish the guidelines necessary to ensure the
5 secure and successful implementation of the mail-in ballot drop
6 boxes required by this section to ensure adequate access in various
7 geographic areas of the county. In determining the ballot drop box
8 locations, the secretary and county boards of elections shall
9 consider, at a minimum, concentrations of population, geographic
10 areas, voter convenience, proximity to public transportation,
11 community-based locations, travel time to the location, proximity to
12 other voting locations and ballot drop boxes, commuter traffic
13 patterns, and security. The guidelines shall include, but may not be
14 limited to, criteria for each county board of elections to:

15 (1) determine the number of ballot drop boxes required per voter
16 population, considering both the number of registered voters and
17 the number of registered mail-in voters in each county before each
18 election;

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

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

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

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

38 e. Whenever a municipal, school, or special election is held,
39 the board shall, at a minimum, open the ballot drop box located
40 geographically closest to the municipal government building in
41 which the main office of the municipal clerk is located and the
42 ballot drop box located at the board of elections or county office, if
43 one is placed at that location. When a school election encompasses
44 more than one municipality, the board shall be responsible for the
45 selection of the ballot drop box location with respect to each
46 municipality.

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

1 5. (New Section) a. No person employed as a law enforcement
2 officer as defined in subsection f. of this section, whether on or off-
3 duty and whether in or out of uniform, shall remain, stand, or
4 conduct a civil enforcement operation within 200 feet of a polling
5 place, a ballot drop box, or a county board of elections during the
6 conduct of an election if the law enforcement officer knows, or
7 should have known, that such presence is likely to:

8 (1) impede, hinder, prevent, or otherwise interfere with the free
9 exercise of the franchise of any voter at any election, or improperly
10 influence a reasonable voter in the voter's decision to exercise the
11 voter's lawful right to vote, either at a polling place or by
12 depositing a mail-in ballot at a ballot drop box; or

13 (2) impede or interfere with the ability of an elections official to
14 perform the elections official's lawful duties as established by Title
15 19 of the Revised Statutes.

16 b. This section shall not be construed to prohibit a law
17 enforcement officer from:

18 (1) traveling to and from, or remaining within, the officer's
19 personal residence if that residence is within 200 feet of a polling
20 place or a ballot drop box;

21 (2) voting at a polling place or ballot drop box in a personal
22 capacity and assisting others in a legal manner, including, but not
23 limited to, serving as a bearer for immediate family members;

24 (3) executing a valid judicial warrant when a supervising officer
25 reasonably determines in writing, when practicable and before the
26 operation, that delaying or relocating the operation would create a
27 substantial risk of flight, destruction of material evidence, death, or
28 bodily injury;

29 (4) escorting a person who may require the assistance of the
30 officer to or from, or both, a polling place, a ballot drop box, or
31 both;

32 (5) investigating, addressing, or removing the specific cause of a
33 disturbance, or otherwise responding to a request for assistance, on
34 or around the premises of the location of a polling place or a ballot
35 drop box; or

36 (6) entering and exiting a federal, State, county, or municipal
37 government building that is within 200 feet of a polling place or
38 ballot drop box location for activity that is not directed toward
39 voters, elections personnel, or persons traveling to or from a polling
40 place or ballot drop box location, and is conducted so as to
41 minimize any reasonably foreseeable effect on voting.

42 When practicable, a law enforcement officer acting upon
43 paragraphs (3), (4), (5), or (6) shall notify the appropriate county
44 board of elections or superintendent of elections and shall document
45 the factual basis for the exception. Failure to provide advance
46 notice during an emergency does not independently establish a
47 violation.

1 Nothing in this section shall be construed to interfere with
2 federal elections observers or monitors acting pursuant to federal
3 law or court order.

4 c. A violation of this section shall not require proof that a voter
5 was actually prevented from voting. This section applies without
6 regard to whether the law enforcement officer exercises federal,
7 State, county, or municipal authority.

8 d. In response to a violation of subsection a. of this section:

9 (1) the Attorney General, a county superintendent of elections, a
10 county board of elections, or an eligible voter facing an imminent or
11 continuing violation may bring an action in the Superior Court for
12 declaratory or prospective injunctive relief; and

13 (2) the court shall tailor relief to protect voting while avoiding
14 unnecessary interference with lawful law enforcement activity.

15 Relief may include, but not be limited to, relocation of staging
16 activity, cessation of voter-directed surveillance or questioning,
17 restoration of unobstructed access, public corrective notice,
18 extension of polling hours as otherwise authorized by law, or
19 another election-related remedy.

20 e. No State, county, or municipal agency or employee shall
21 knowingly provide personnel, equipment, facilities, nonpublic
22 information, or operational assistance for a civil enforcement
23 operation prohibited by subsection a. of this section, except as
24 required by federal law or judicial order. Nothing in this section
25 restricts voluntary communication with federal authorities
26 concerning an immediate threat to life or physical safety or an
27 elections offense.

28 f. As used in this section:

29 “Law enforcement officer” means any person who is employed
30 as a sworn member of any federal, State, county, or municipal law
31 enforcement agency, department, division, or instrumentality of
32 those governments who is statutorily empowered to act for the
33 detection, investigation, arrest, conviction, detention, or
34 rehabilitation of persons violating the laws of this State or the
35 United States.

36 “Judicial warrant” means a warrant based on probable cause and
37 issued by a federal Article III judge or magistrate judge, or the State
38 equivalent.

39

40 6. (New section) a. The Attorney General shall establish a
41 process through which elections officials, law enforcement
42 agencies, and members of the public may report alleged violations.
43 A report alone does not constitute a violation.

44 b. Within 120 days after each general election, the Attorney
45 General shall publish an aggregate report describing substantiated
46 incidents, remedies sought or obtained, and recommendations for
47 administrative action and potential legislation. The report shall
48 protect personally identifying information, confidential law-

1 enforcement information, and confidential and sensitive election-
2 related information.

3
4 7. (New section) The Attorney General, in consultation with the
5 Secretary of State, shall issue guidance and training standards for
6 State, county, and municipal law enforcement officers and elections
7 officials. The guidance shall explain the objective, exceptions,
8 documentation procedures, de-escalation practices, and
9 coordination necessary to preserve voter access and public safety.

10
11 8. This act shall take effect on the 90th day following enactment,
12 except that the Attorney General and the Secretary of State may
13 take any anticipatory administrative action in advance as shall be
14 necessary for the implementation of this act.

15
16
17 STATEMENT

18
19 This bill, to be known as the “Voter Protection and Law
20 Enforcement Neutrality Act,” concerns certain law enforcement
21 activity during an election.

22 The bill prohibits law enforcement officers from standing or
23 conducting a civil enforcement operation, or remaining within 200
24 feet of a polling place or ballot drop box during the conduct of an
25 election if the officer knows, or should have known, that the
26 officer’s presence is likely to:

27 impede, hinder, prevent, or otherwise interfere with the free
28 exercise of the franchise of any voter at any election, or improperly
29 influence a reasonable voter in the voter’s decision to exercise the
30 voter’s lawful right to vote, either at a polling place or by
31 depositing a mail-in ballot at a ballot drop box; or

32 impede or interfere with the ability of an elections official to
33 conduct an election.

34 The purpose of this bill is to ensure that the State preserves a
35 limited amount of space around polling places and ballot drop boxes
36 necessary for the State and its elections officials to conduct
37 elections under the authority delegated to the State by the Elections
38 Clause of the United States Constitution, and for voters to exercise
39 their lawful right to vote, without interference from certain
40 members of law enforcement. The bill seeks to balance the rights
41 and interests of the State and voters with the responsibilities of law
42 enforcement by expanding the restricted area from 100 feet to 200
43 feet around polling places and ballot drop boxes and by including
44 exceptions where a law enforcement officer is:

45 exercising a valid judicial warrant;

46 traveling to and from, or remaining within, their personal
47 residence if that residence is within 200 feet of a polling place or a
48 ballot drop box;

1 voting at a polling place or ballot drop box in a personal capacity
2 and assisting others in a legal manner, including, but not limited to,
3 serving as a bearer for immediate family members;

4 escorting a person who may require the assistance of the officer
5 to or from, or both, a polling place, a ballot drop box, or both;

6 investigating, addressing, or removing the specific cause of a
7 disturbance, or otherwise responding to a request for assistance, on
8 or around the premises of the location of a polling place or a ballot
9 drop box; or

10 entering and exiting a federal, State, county, or municipal
11 government building that is within 200 feet of a polling place or
12 ballot drop box location for activity that is not directed toward
13 voters, election personnel, or persons traveling to or from a polling
14 place or ballot drop box location, and is conducted so as to
15 minimize any reasonably foreseeable effect on voting.

16 Under the bill, in response to a violation, the Attorney General, a
17 county superintendent of elections, a county board of elections, or
18 an eligible voter facing an imminent or continuing violation may
19 bring an action in the Superior Court for declaratory or prospective
20 injunctive relief. The court would be required to tailor relief to
21 protect voting while avoiding unnecessary interference with lawful
22 law enforcement activity. Relief may include, but not be limited to,
23 relocation of staging activity, cessation of voter-directed
24 surveillance or questioning, restoration of unobstructed access,
25 public corrective notice, extension of polling hours as otherwise
26 authorized by law, or another election-related remedy.

27 The bill requires the Attorney General to establish a process for
28 reporting alleged violations. Within 120 days after each general
29 election, the Attorney General is required to publish a report
30 describing substantiated incidents, remedies sought or obtained, and
31 recommendations for administrative action and potential legislation.
32 The Attorney General, in consultation with the Secretary of State, is
33 required to issue guidance and training for State, county, and
34 municipal law enforcement officers and elections officials to
35 preserve voter access and public safety.

36 The bill defines a “law enforcement officer” as any person who
37 is employed as a sworn member of any federal, State, county, or
38 municipal law enforcement agency, department, division, or
39 instrumentality of those governments who is statutorily empowered
40 to act for the detection, investigation, arrest, conviction, detention,
41 or rehabilitation of persons violating the laws of this State or the
42 United States.