

**19:15A-1, 19:34-6 & 19:34-7, 19:34-15****LEGISLATIVE HISTORY CHECKLIST**

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**LAWS OF:** 2025                    **CHAPTER:** 92**NJSA:** 19:15A-1, 19:34-6 & 19:34-7, 19:34-15 Permits county boards of elections to extend distance within which electioneering is prohibited.**BILL NO:** S3850                    (Substituted for A5356 (1R))**SPONSOR(S)** Smith, Bob and others**DATE INTRODUCED:** 10/28/2024**COMMITTEE:**                    **ASSEMBLY:** Appropriations**SENATE:** State Government, Wagering, Tourism & Historic Preservation**AMENDED DURING PASSAGE:** Yes**DATE OF PASSAGE:**   **ASSEMBLY:** 05/22/2025**SENATE:** 06/02/2025**DATE OF APPROVAL:** 7/8/2025**FOLLOWING ARE ATTACHED IF AVAILABLE:****FINAL TEXT OF BILL** (S3850 Aca (1R) enacted)**ADVANCE LAW** Yes**PAMPHLET LAW** Yes**S3850****INTRODUCED BILL:** (Includes sponsor(s) statement) Yes**REPRINT(S):** Yes AAP 5/15/25 1R**TECHNICAL REVIEW OF BILL:** No**COMMITTEE STATEMENT:**   **ASSEMBLY:** Yes Appropriations**SENATE:** Yes State Gov't, Wagering, Tourism & Historic Preservation(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))**FLOOR AMENDMENT STATEMENT:** No**LEGISLATIVE FISCAL ESTIMATE:** No**A5356 (1R)****INTRODUCED BILL:** (Includes sponsor(s) statement) Yes**REPRINT(S):** Yes ASL 3/20/25 1R

**TECHNICAL REVIEW OF BILL:**

No

**COMMITTEE STATEMENT: ASSEMBLY:**Yes State & Local Government  
Appropriations**SENATE:**

No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:**

No

**LEGISLATIVE FISCAL ESTIMATE:**

No

**VETO MESSAGE:**

No

**GOVERNOR'S PRESS RELEASE ON SIGNING:**

Yes

**LEGISLATOR STATEMENT:**

No

**FOLLOWING WERE PRINTED:**

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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

No

CL/MMcB

P.L. 2025, CHAPTER 92, *approved July 8, 2025*  
Senate, No. 3850 (*First Reprint*)

1 **AN ACT** concerning electioneering and amending various parts of  
2 the statutory law.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 <sup>1</sup>**[**1. Section 1 of P.L.2021, c.40 (C.19:15A-1) is amended to  
8 read as follows:

9 1. a. In addition to all other forms of voting provided for by this  
10 Title, a registered voter shall be permitted to vote at a specially  
11 designated polling place before the day of certain primary and  
12 general elections in this State. This procedure shall be known as  
13 early voting. The early voting period shall:

14 (1) start on the 4th calendar day before a non-presidential  
15 primary election for a non-presidential general election and end on  
16 the second calendar day before that non-presidential primary  
17 election;

18 (2) start on the 6th calendar day before a presidential primary  
19 election for a presidential general election and end on the second  
20 calendar day before that presidential primary election; or

21 (3) start on the 10th calendar day before a general election and  
22 end on the second calendar day before that general election.

23 The voting process during the early voting period shall be  
24 conducted using electronic poll books and optical-scan voting  
25 machines that read hand-marked paper ballots or other voting  
26 machines that produce a voter-verifiable paper ballot. Any  
27 municipality conducting regular municipal elections in May  
28 pursuant to the provisions of the "Uniform Nonpartisan Elections  
29 Law," P.L.1981, c.379 (C.40:45-5 et seq.), may, by an ordinance  
30 adopted by its governing body, also conduct early voting for the  
31 regular municipal election, in accordance with the provisions of this  
32 act, P.L.2021, c.40 (C.19:15A-1 et al.). If adopted by a municipal  
33 governing body, the early voting period for a regular municipal  
34 election in May shall start on the 4th calendar day before the regular  
35 municipal election and end on the second calendar day before that  
36 regular municipal election. An early voting period shall only be  
37 permitted for a non-presidential or presidential primary election and  
38 a general election in this State and, if adopted by a municipal  
39 governing body, a regular municipal election conducted in May.  
40 Pursuant to the provisions of this act and Title 19 of the Revised  
41 Statutes and in accordance with procedures that may be established

**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 AAP committee amendments adopted May 15, 2025.

1 by the Secretary of State for verifying eligible voters, each county  
2 board of elections shall verify that a registered voter is qualified to  
3 vote in the election and shall prescribe the manner by which a  
4 registered voter may vote during such period.

5 b. (1) For the primary and the general election, each county  
6 board of elections shall designate at least three, but not more than  
7 five, public locations within each county as the sites for early  
8 voting to occur, except that the county board shall designate at least  
9 five, but not more than seven, public locations for early voting if  
10 the number of registered voters in the county is at least 150,000 but  
11 less than 300,000, and shall designate at least seven, but not more  
12 than 10, public locations for early voting if the number of registered  
13 voters in the county is 300,000 or more. This provision shall not be  
14 interpreted to prevent county boards of elections, at their discretion,  
15 from establishing additional locations in excess of the five, seven,  
16 or 10 location limits respectively set forth herein; provided,  
17 however, that the State shall be required to provide reimbursement  
18 for the costs of locations up to and including the five, seven, or 10  
19 respective limits established herein, and shall not be required to  
20 provide reimbursement for additional locations beyond those limits  
21 under section 6 of this act, P.L.2021, c.40 (C.19:15A-6). The  
22 number of registered voters in each county shall be determined  
23 ahead of the selection of early voting sites pursuant to a uniform  
24 standard which shall be developed by the Secretary of State through  
25 the rulemaking process pursuant to the "Administrative Procedure  
26 Act," P.L.1968, c.410 (C.52:14B-1 et seq.). Whenever possible,  
27 early voting locations shall be geographically located so as to  
28 ensure both access in the part of the county that features the greatest  
29 concentration of population, according to the most recent federal  
30 decennial census of the United States, and access in various  
31 geographic areas of the county. All early voting locations shall be  
32 public facilities, such as county courthouses, public libraries and the  
33 offices of the municipal clerk, county clerk, and county board of  
34 elections, or places of public accommodation as provided under  
35 Title 10 of the Revised Statutes. No public school building and no  
36 building used as a public school, as that term is defined under  
37 N.J.S.18A:1-1, shall, however, be designated as an early voting  
38 location. The locations shall be designated at the same time as all  
39 other polling places are designated by the board of elections. In the  
40 event of a tie vote among members of the county board with respect  
41 to the selection of sites for early voting, the county clerk shall cast  
42 the deciding vote. Once early voting locations are designated in  
43 each county, county boards of election shall evaluate and, if deemed  
44 necessary, revise these locations in order to accommodate  
45 significant changes in the number of registered voters within each  
46 county, reflect the population distribution and density within each  
47 county, or because of similar circumstances. The Secretary of State  
48 may develop the criteria to be used by county boards of election to

1 revise the location of early voting sites and shall prescribe how  
2 often such revision shall take place.

3 A voter shall be permitted to vote at any early voting site in the  
4 voter's county.

5 (2) Whenever a municipality that conducts regular municipal  
6 elections in May chooses to participate in early voting for the  
7 regular municipal election, the county board of elections shall  
8 designate at least one public location, but not more than three public  
9 locations, within the municipality as the site or sites for early voting  
10 to occur. This provision shall not be interpreted to prevent a county  
11 board of elections, at its discretion, from establishing additional  
12 locations in excess of the three location limit set forth herein;  
13 provided, however, that the State shall be required to provide  
14 reimbursement for the costs of locations up to and including the  
15 three location limit established herein, and shall not be required to  
16 provide reimbursement for additional locations beyond that limit  
17 under section 6 of this act, P.L.2021, c.40 (C.19:15A-6). Whenever  
18 possible, each such location shall be geographically located in the  
19 part of the municipality that features the greatest concentration of  
20 population, according to the most recent federal decennial census of  
21 the United States. All early voting locations shall be public  
22 facilities, such as municipal courthouses and the offices of the  
23 municipal clerk, or places of public accommodation as provided  
24 under Title 10 of the Revised Statutes. No public school building  
25 and no building used as a public school, as that term is defined  
26 under N.J.S.18A:1-1, shall be designated as an early voting  
27 location. The locations shall be designated at the same time as all  
28 other polling places are designated by the board of elections. In the  
29 event of a tie vote among members of the county board with respect  
30 to the selection of sites for early voting, the municipal clerk shall  
31 cast the deciding vote. Once early voting locations are designated  
32 in each municipality, county boards of election shall evaluate and, if  
33 deemed necessary, revise these locations in order to accommodate  
34 significant changes in the number of registered voters within each  
35 municipality, reflect the population distribution and density within  
36 each municipality, or because of similar circumstances. The  
37 Secretary of State may develop the criteria to be used by county  
38 boards of election to revise the location of early voting sites and  
39 shall prescribe how often such revision shall take place.

40 A voter shall be permitted to vote at any early voting site in the  
41 voter's municipality.

42 c. Each early voting site in a county or municipality shall be  
43 open for early voting on Monday through Saturday from at least 10  
44 AM to 8 PM, and on Sunday from at least 10 AM to 6 PM. Any  
45 voter who is on line at the time scheduled for the closing of an early  
46 voting site shall be permitted to vote.

47 d. The election officers responsible for conducting early voting  
48 shall be the same as those responsible for conducting a primary and

1 a general election, as appropriate, pursuant to this Title. The  
2 number of such officers and their hours of service shall be as  
3 determined by each county board of elections. The compensation  
4 for such officers shall be the same as provided to district board of  
5 election members serving at a school election pursuant to  
6 R.S.19:45-6, or that required pursuant to Article I, paragraph 23 of  
7 the New Jersey Constitution, whichever is greater.

8 e. The restrictions governing the conduct of voters at a polling  
9 place on the days that early voting occurs, the procedures governing  
10 who is permitted in a polling place on such occasions and the  
11 prohibition on electioneering within 100 feet of a polling place  
12 during an election, or within 200 feet of a polling place during an  
13 election if the electioneering prohibition is extended at the  
14 discretion of a county board of elections, shall be as provided in  
15 chapters 15, 34, 50 and 52 of Title 19 of the Revised Statutes and  
16 every other applicable section of this Title.

17 f. In real time using the electronic poll books each day during  
18 the early voting period, and prior to the start of each regularly  
19 scheduled primary and general election, and regular municipal  
20 election in each non-partisan municipality choosing to participate in  
21 early voting, each county board shall make such changes as may be  
22 necessary to the voter's record in the Statewide voter registration  
23 system to indicate that a voter has voted in that election using the  
24 early voting procedure.

25 g. (1) Each county board shall be responsible for forming and  
26 executing a written plan to ensure, to the greatest extent possible,  
27 the integrity of the voting process and the security of ballots used  
28 during the early voting period, including the security of voting  
29 machines, voted ballots, and election records. The plan shall be  
30 based on guidelines established by the Secretary of State and shall  
31 be submitted thereto no later than December 15 of each year. The  
32 Secretary of State shall review and, if deemed necessary thereby,  
33 require changes to a plan no later than February 1 of each year.  
34 Each plan shall specify a chain of custody and security plan for the  
35 voting machines, and a chain of custody for the voted ballots and  
36 election records and materials, and shall require, among other  
37 specifications deemed necessary by the Secretary of State and  
38 county boards of election, that all voted ballots shall be transferred  
39 at the end of each early voting day to county boards of election for  
40 safekeeping. After the voted ballots are transferred to the county  
41 board of elections at the end of each early voting day, a county  
42 board may elect to impound those voted ballots on a secure server,  
43 or by any other means deemed appropriate by the Secretary of State.  
44 The voted ballots shall not be canvassed until the closing of the  
45 polls on election day as required pursuant to section 4 of this act,  
46 P.L.2021, c.40 (C.19:15A-4). The results of the voted ballots cast  
47 during early voting shall remain confidential and shall be disclosed  
48 only in accordance with the provisions of Title 19 of the Revised

1 Statutes, regulations, and guidelines concerning the disclosure of  
2 election results, and a violation shall be subject to the penalties  
3 established by law.

4 (2) Notwithstanding the provisions of this subsection, in the  
5 year in which P.L.2021, c.40 (C.19:15A-1 et al.) becomes law, each  
6 county board shall submit its plan to the Secretary of State within  
7 30 days following the effective date of this act and the Secretary of  
8 State shall review it and, if deemed necessary thereby, require  
9 changes in the plan within 45 days following the effective date of  
10 this act.

11 h. Each county board shall make certain that each polling place  
12 used for early voting shall be accessible to individuals with  
13 disabilities and the elderly, in compliance with the "Americans with  
14 Disabilities Act of 1990" (42 U.S.C. s.12101 et seq.), and that each  
15 polling place provides such voters, including the blind and visually  
16 impaired, the same opportunity for access and participation,  
17 including privacy and independence, as other voters in compliance  
18 with the "Help America Vote Act of 2002" (42 U.S.C. s.15481).

19 i. The Secretary of State shall establish a printing on demand  
20 ballot and elections system. At a minimum, the system shall be  
21 compatible with the Statewide voter registration system established  
22 pursuant to section 1 of P.L.2005, c.145 (C.19:31-31) and any  
23 electronic poll books provided by section 1 of P.L.2019, c.80  
24 (C.19:31-35). Each polling place used for early voting shall have a  
25 computer, tablet, or other electronic device to print provisional  
26 ballots for voters required to vote by provisional ballot in  
27 accordance with the provisions of Title 19 of the Revised Statutes  
28 or due to an equipment malfunction as further provided under  
29 section 3 of P.L.2019, c.80 (C.19:31-37), or any other election  
30 related material, if needed. A computer, tablet, or other electronic  
31 device and the printer used to print election materials at a polling  
32 place shall not be used unless it has been certified by the Secretary  
33 of State. The Secretary of State shall adopt and publish standards  
34 and regulations governing the certification and use of computer,  
35 tablets, or other electronic devices and printers to print election  
36 materials at each polling place used for early voting. The Secretary  
37 of State shall not certify a computer, tablet, or other electronic  
38 device or printer unless it is in compliance with the secretary's  
39 standards.

40 j. Each polling place used for early voting shall also have such  
41 appropriate supplies, ballots and other materials deemed necessary  
42 by the Secretary of State or as is required currently for a polling  
43 place on the day of any election by Title 19 of the Revised Statutes.  
44 (cf: P.L.2021, c.40, s.1)<sup>1</sup>

45

46 <sup>1</sup>1. Section 1 of P.L.2021, c.40 (C.19:15A-1) is amended to read  
47 as follows:

1       1. a. In addition to all other forms of voting provided for by this  
2 Title, a registered voter shall be permitted to vote at a specially  
3 designated polling place before the day of certain primary and general  
4 elections in this State. This procedure shall be known as early voting.  
5 The early voting period shall:

6       (1) start on the 7th calendar day before a non-presidential primary  
7 election for a non-presidential general election and end on the second  
8 calendar day before that non-presidential primary election;

9       (2) start on the 7th calendar day before a presidential primary  
10 election for a presidential general election and end on the second  
11 calendar day before that presidential primary election; or

12       (3) start on the 10th calendar day before a general election and end  
13 on the second calendar day before that general election.

14       The voting process during the early voting period shall be  
15 conducted using electronic poll books and optical-scan voting  
16 machines that read hand-marked paper ballots or other voting  
17 machines that produce a voter-verifiable paper ballot. Any  
18 municipality conducting regular municipal elections in May pursuant  
19 to the provisions of the "Uniform Nonpartisan Elections Law,"  
20 P.L.1981, c.379 (C.40:45-5 et seq.), may, by an ordinance adopted by  
21 its governing body, also conduct early voting for the regular municipal  
22 election, in accordance with the provisions of this act, P.L.2021, c.40  
23 (C.19:15A-1 et al.). If adopted by a municipal governing body, the  
24 early voting period for a regular municipal election in May shall start  
25 on the 4th calendar day before the regular municipal election and end  
26 on the second calendar day before that regular municipal election. An  
27 early voting period shall only be permitted for a non-presidential or  
28 presidential primary election and a general election in this State and, if  
29 adopted by a municipal governing body, a regular municipal election  
30 conducted in May. Pursuant to the provisions of this act and Title 19 of  
31 the Revised Statutes and in accordance with procedures that may be  
32 established by the Secretary of State for verifying eligible voters, each  
33 county board of elections shall verify that a registered voter is  
34 qualified to vote in the election and shall prescribe the manner by  
35 which a registered voter may vote during such period.

36       b. (1) For the primary and the general election, each county board  
37 of elections shall designate at least three, but not more than five, public  
38 locations within each county as the sites for early voting to occur,  
39 except that the county board shall designate at least five, but not more  
40 than seven, public locations for early voting if the number of registered  
41 voters in the county is at least 150,000 but less than 300,000, and shall  
42 designate at least seven, but not more than 10, public locations for  
43 early voting if the number of registered voters in the county is 300,000  
44 or more. This provision shall not be interpreted to prevent county  
45 boards of elections, at their discretion, from establishing additional  
46 locations in excess of the five, seven, or 10 location limits respectively  
47 set forth herein; provided, however, that the State shall be required to  
48 provide reimbursement for the costs of locations up to and including

1 the five, seven, or 10 respective limits established herein, and shall not  
2 be required to provide reimbursement for additional locations beyond  
3 those limits under section 6 of this act, P.L.2021, c.40 (C.19:15A-6).  
4 The number of registered voters in each county shall be determined  
5 ahead of the selection of early voting sites pursuant to a uniform  
6 standard which shall be developed by the Secretary of State through  
7 the rulemaking process pursuant to the "Administrative Procedure  
8 Act," P.L.1968, c.410 (C.52:14B-1 et seq.). Whenever possible, early  
9 voting locations shall be geographically located so as to ensure both  
10 access in the part of the county that features the greatest concentration  
11 of population, according to the most recent federal decennial census of  
12 the United States, and access in various geographic areas of the  
13 county. All early voting locations shall be public facilities, such as  
14 county courthouses, public libraries and the offices of the municipal  
15 clerk, county clerk, and county board of elections, or places of public  
16 accommodation as provided under Title 10 of the Revised Statutes. No  
17 public school building and no building used as a public school, as that  
18 term is defined under N.J.S.18A:1-1, shall, however, be designated as  
19 an early voting location. The locations shall be designated at the same  
20 time as all other polling places are designated by the board of  
21 elections. In the event of a tie vote among members of the county  
22 board with respect to the selection of sites for early voting, the county  
23 clerk shall cast the deciding vote. Once early voting locations are  
24 designated in each county, county boards of election shall evaluate  
25 and, if deemed necessary, revise these locations in order to  
26 accommodate significant changes in the number of registered voters  
27 within each county, reflect the population distribution and density  
28 within each county, or because of similar circumstances. The  
29 Secretary of State may develop the criteria to be used by county boards  
30 of election to revise the location of early voting sites and shall  
31 prescribe how often such revision shall take place.

32 A voter shall be permitted to vote at any early voting site in the  
33 voter's county.

34 (2) Whenever a municipality that conducts regular municipal  
35 elections in May chooses to participate in early voting for the regular  
36 municipal election, the county board of elections shall designate at  
37 least one public location, but not more than three public locations,  
38 within the municipality as the site or sites for early voting to occur.  
39 This provision shall not be interpreted to prevent a county board of  
40 elections, at its discretion, from establishing additional locations in  
41 excess of the three location limit set forth herein; provided, however,  
42 that the State shall be required to provide reimbursement for the costs  
43 of locations up to and including the three location limit established  
44 herein, and shall not be required to provide reimbursement for  
45 additional locations beyond that limit under section 6 of this act,  
46 P.L.2021, c.40 (C.19:15A-6). Whenever possible, each such location  
47 shall be geographically located in the part of the municipality that  
48 features the greatest concentration of population, according to the most

1 recent federal decennial census of the United States. All early voting  
2 locations shall be public facilities, such as municipal courthouses and  
3 the offices of the municipal clerk, or places of public accommodation  
4 as provided under Title 10 of the Revised Statutes. No public school  
5 building and no building used as a public school, as that term is  
6 defined under N.J.S.18A:1-1, shall be designated as an early voting  
7 location. The locations shall be designated at the same time as all  
8 other polling places are designated by the board of elections. In the  
9 event of a tie vote among members of the county board with respect to  
10 the selection of sites for early voting, the municipal clerk shall cast the  
11 deciding vote. Once early voting locations are designated in each  
12 municipality, county boards of election shall evaluate and, if deemed  
13 necessary, revise these locations in order to accommodate significant  
14 changes in the number of registered voters within each municipality,  
15 reflect the population distribution and density within each  
16 municipality, or because of similar circumstances. The Secretary of  
17 State may develop the criteria to be used by county boards of election  
18 to revise the location of early voting sites and shall prescribe how  
19 often such revision shall take place.

20 A voter shall be permitted to vote at any early voting site in the  
21 voter's municipality.

22 c. Each early voting site in a county or municipality shall be open  
23 for early voting on Monday through Saturday from at least 10 AM to 8  
24 PM, and on Sunday from at least 10 AM to 6 PM. Any voter who is  
25 on line at the time scheduled for the closing of an early voting site  
26 shall be permitted to vote.

27 d. The election officers responsible for conducting early voting  
28 shall be the same as those responsible for conducting a primary and a  
29 general election, as appropriate, pursuant to this Title. The number of  
30 such officers and their hours of service shall be as determined by each  
31 county board of elections. The compensation for such officers shall be  
32 the same as provided to district board of election members serving at a  
33 school election pursuant to R.S.19:45-6, or that required pursuant to  
34 Article I, paragraph 23 of the New Jersey Constitution, whichever is  
35 greater.

36 e. The restrictions governing the conduct of voters at a polling  
37 place on the days that early voting occurs, the procedures governing  
38 who is permitted in a polling place on such occasions and the  
39 prohibition on electioneering within 100 feet of a polling place during  
40 an election, or within 200 feet of a polling place during an election if  
41 the electioneering prohibition is extended at the discretion of a county  
42 board of elections, shall be as provided in chapters 15, 34, 50 and 52  
43 of Title 19 of the Revised Statutes and every other applicable section  
44 of this Title.

45 f. In real time using the electronic poll books each day during the  
46 early voting period, and prior to the start of each regularly scheduled  
47 primary and general election, and regular municipal election in each  
48 non-partisan municipality choosing to participate in early voting, each

1 county board shall make such changes as may be necessary to the  
2 voter's record in the Statewide voter registration system to indicate that  
3 a voter has voted in that election using the early voting procedure.

4 g. (1) Each county board shall be responsible for forming and  
5 executing a written plan to ensure, to the greatest extent possible, the  
6 integrity of the voting process and the security of ballots used during  
7 the early voting period, including the security of voting machines,  
8 voted ballots, and election records. The plan shall be based on  
9 guidelines established by the Secretary of State and shall be submitted  
10 thereto no later than December 15 of each year. The Secretary of State  
11 shall review and, if deemed necessary thereby, require changes to a  
12 plan no later than February 1 of each year. Each plan shall specify a  
13 chain of custody and security plan for the voting machines, and a chain  
14 of custody for the voted ballots and election records and materials, and  
15 shall require, among other specifications deemed necessary by the  
16 Secretary of State and county boards of election, that all voted ballots  
17 shall be transferred at the end of each early voting day to county  
18 boards of election for safekeeping. After the voted ballots are  
19 transferred to the county board of elections at the end of each early  
20 voting day, a county board may elect to impound those voted ballots  
21 on a secure server, or by any other means deemed appropriate by the  
22 Secretary of State. The voted ballots shall not be canvassed until the  
23 closing of the polls on election day as required pursuant to section 4 of  
24 this act, P.L.2021, c.40 (C.19:15A-4). The results of the voted ballots  
25 cast during early voting shall remain confidential and shall be  
26 disclosed only in accordance with the provisions of Title 19 of the  
27 Revised Statutes, regulations, and guidelines concerning the disclosure  
28 of election results, and a violation shall be subject to the penalties  
29 established by law.

30 (2) Notwithstanding the provisions of this subsection, in the year  
31 in which P.L.2021, c.40 (C.19:15A-1 et al.) becomes law, each county  
32 board shall submit its plan to the Secretary of State within 30 days  
33 following the effective date of this act and the Secretary of State shall  
34 review it and, if deemed necessary thereby, require changes in the plan  
35 within 45 days following the effective date of this act.

36 h. Each county board shall make certain that each polling place  
37 used for early voting shall be accessible to individuals with disabilities  
38 and the elderly, in compliance with the "Americans with Disabilities  
39 Act of 1990" (42 U.S.C. s.12101 et seq.), and that each polling place  
40 provides such voters, including the blind and visually impaired, the  
41 same opportunity for access and participation, including privacy and  
42 independence, as other voters in compliance with the "Help America  
43 Vote Act of 2002" (42 U.S.C. s.15481).

44 i. The Secretary of State shall establish a printing on demand  
45 ballot and elections system. At a minimum, the system shall be  
46 compatible with the Statewide voter registration system established  
47 pursuant to section 1 of P.L.2005, c.145 (C.19:31-31) and any  
48 electronic poll books provided by section 1 of P.L.2019, c.80

(C.19:31-35). Each polling place used for early voting shall have a computer, tablet, or other electronic device to print provisional ballots for voters required to vote by provisional ballot in accordance with the provisions of Title 19 of the Revised Statutes or due to an equipment malfunction as further provided under section 3 of P.L.2019, c.80 (C.19:31-37), or any other election related material, if needed. A computer, tablet, or other electronic device and the printer used to print election materials at a polling place shall not be used unless it has been certified by the Secretary of State. The Secretary of State shall adopt and publish standards and regulations governing the certification and use of computer, tablets, or other electronic devices and printers to print election materials at each polling place used for early voting. The Secretary of State shall not certify a computer, tablet, or other electronic device or printer unless it is in compliance with the secretary's standards.

j. Each polling place used for early voting shall also have such appropriate supplies, ballots and other materials deemed necessary by the Secretary of State or as is required currently for a polling place on the day of any election by Title 19 of the Revised Statutes.<sup>1</sup>

(cf: P.L.2025, c.23, s.2)

2. R.S.19:34-6 is amended to read as follows:

19:34-6. a. If a person shall on election day tamper, deface or interfere with any polling booth or obstruct the entrance to any polling place, or obstruct or interfere with any voter, or loiter in or near the polling place, or, with the purpose to obstruct or interfere with any voter or to unduly delay other voters from voting, spend an inordinate amount of time in the polling booth, or do any electioneering within any polling place or within one hundred feet thereof, or within 200 feet thereof if the electioneering prohibition is extended at the discretion of a county board of elections, he shall be guilty of a crime of the third degree.

b. This section shall not be construed to prohibit a minor from entering a polling place on the day of an election to vote in a simulated election at that polling place, or persons from supervising or working at a polling place in a simulated election in which minors vote, provided that the county board of elections has determined that the polling place can accommodate simulated election activities without interfering with the orderly conduct of the official voting process.

(cf: P.L.2005, c.154, s.26)

3. R.S.19:34-7 is amended to read as follows:

19:34-7. No person shall within the polling room mark his ballot in a place other than in the polling booth or show his ballot, nor shall anyone request such person to show his ballot during the preparation thereof, nor shall any other person inspect such ballot during the preparation thereof or after it is prepared for voting in

1 such a way as to reveal the contents, nor shall any person within the  
2 polling place or within a hundred feet thereof, loiter, electioneer, or  
3 solicit any voter, or electioneer within 200 feet of the polling place  
4 if the electioneering prohibition is extended at the discretion of a  
5 county board of elections.

6 No voter, at any election where official ballots are used, shall  
7 knowingly vote or offer to vote any ballot except an official ballot  
8 as by this Title required.

9 No person shall on any pretext carry any official ballot from the  
10 polling room on any election day except such persons as may by  
11 this Title be authorized to do so.

12 Any person violating any of the provisions of this section shall  
13 be guilty of a crime of the fourth degree.

14 (cf: P.L.2005, c.154, s.27)

15  
16 4. R.S.19:34-15 is amended to read as follows:

17 19:34-15. a. If a person shall distribute or display any circular  
18 or printed matter or offer any suggestion or solicit any support for  
19 any candidate, party or public question within the polling place or  
20 room or within a distance of 100 feet of the outside entrance to such  
21 polling place or room, or within 100 feet of a ballot drop box in use  
22 during the conduct of an election, the person shall be guilty of a  
23 disorderly persons offense.

24 b. Each county board of elections shall have the discretion to  
25 extend the prohibition against electioneering provided under  
26 subsection a. of this section to be within a distance of 200 feet of  
27 the outside entrance to a polling place or room, or of a ballot drop  
28 box in use during the conduct of an election within the county.  
29 Each county board of elections shall provide a clear and  
30 conspicuous notice of the electioneering prohibition outside the  
31 polling place, room, or ballot drop box prior to placing the  
32 prohibition into effect, including the penalties for any violation of  
33 that prohibition. A person who violates an electioneering  
34 prohibition established by a county board of elections pursuant to  
35 this subsection shall be guilty of a disorderly persons offense.

36 (cf: P.L.2021, c.459, s.5)

37  
38 5. This act shall take effect immediately.

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41 \_\_\_\_\_  
42  
43 Permits county boards of elections to extend distance within  
44 which electioneering is prohibited.

## CHAPTER 92

AN ACT concerning electioneering and amending various parts of the statutory law.

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

1. Section 1 of P.L.2021, c.40 (C.19:15A-1) is amended to read as follows:

C.19:15A-1 Early voting.

1. a. In addition to all other forms of voting provided for by this Title, a registered voter shall be permitted to vote at a specially designated polling place before the day of certain primary and general elections in this State. This procedure shall be known as early voting. The early voting period shall:

(1) start on the 7th calendar day before a non-presidential primary election for a non-presidential general election and end on the second calendar day before that non-presidential primary election;

(2) start on the 7th calendar day before a presidential primary election for a presidential general election and end on the second calendar day before that presidential primary election; or

(3) start on the 10th calendar day before a general election and end on the second calendar day before that general election.

The voting process during the early voting period shall be conducted using electronic poll books and optical-scan voting machines that read hand-marked paper ballots or other voting machines that produce a voter-verifiable paper ballot. Any municipality conducting regular municipal elections in May pursuant to the provisions of the "Uniform Nonpartisan Elections Law," P.L.1981, c.379 (C.40:45-5 et seq.), may, by an ordinance adopted by its governing body, also conduct early voting for the regular municipal election, in accordance with the provisions of this act, P.L.2021, c.40 (C.19:15A-1 et al.). If adopted by a municipal governing body, the early voting period for a regular municipal election in May shall start on the 4th calendar day before the regular municipal election and end on the second calendar day before that regular municipal election. An early voting period shall only be permitted for a non-presidential or presidential primary election and a general election in this State and, if adopted by a municipal governing body, a regular municipal election conducted in May. Pursuant to the provisions of this act and Title 19 of the Revised Statutes and in accordance with procedures that may be established by the Secretary of State for verifying eligible voters, each county board of elections shall verify that a registered voter is qualified to vote in the election and shall prescribe the manner by which a registered voter may vote during such period.

b. (1) For the primary and the general election, each county board of elections shall designate at least three, but not more than five, public locations within each county as the sites for early voting to occur, except that the county board shall designate at least five, but not more than seven, public locations for early voting if the number of registered voters in the county is at least 150,000 but less than 300,000, and shall designate at least seven, but not more than 10, public locations for early voting if the number of registered voters in the county is 300,000 or more. This provision shall not be interpreted to prevent county boards of elections, at their discretion, from establishing additional locations in excess of the five, seven, or 10 location limits respectively set forth herein; provided, however, that the State shall be required to provide reimbursement for the costs of locations up to and including the five, seven, or 10 respective limits established herein, and shall not be required to provide reimbursement for additional locations beyond those limits under section 6 of this act, P.L.2021, c.40 (C.19:15A-6). The number of registered voters in each county shall be determined ahead of the selection of early voting sites pursuant to a uniform standard which shall be developed by

the Secretary of State through the rulemaking process pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.). Whenever possible, early voting locations shall be geographically located so as to ensure both access in the part of the county that features the greatest concentration of population, according to the most recent federal decennial census of the United States, and access in various geographic areas of the county. All early voting locations shall be public facilities, such as county courthouses, public libraries and the offices of the municipal clerk, county clerk, and county board of elections, or places of public accommodation as provided under Title 10 of the Revised Statutes. No public school building and no building used as a public school, as that term is defined under N.J.S.18A:1-1, shall, however, be designated as an early voting location. The locations shall be designated at the same time as all other polling places are designated by the board of elections. In the event of a tie vote among members of the county board with respect to the selection of sites for early voting, the county clerk shall cast the deciding vote. Once early voting locations are designated in each county, county boards of election shall evaluate and, if deemed necessary, revise these locations in order to accommodate significant changes in the number of registered voters within each county, reflect the population distribution and density within each county, or because of similar circumstances. The Secretary of State may develop the criteria to be used by county boards of election to revise the location of early voting sites and shall prescribe how often such revision shall take place.

A voter shall be permitted to vote at any early voting site in the voter's county.

(2) Whenever a municipality that conducts regular municipal elections in May chooses to participate in early voting for the regular municipal election, the county board of elections shall designate at least one public location, but not more than three public locations, within the municipality as the site or sites for early voting to occur. This provision shall not be interpreted to prevent a county board of elections, at its discretion, from establishing additional locations in excess of the three location limit set forth herein; provided, however, that the State shall be required to provide reimbursement for the costs of locations up to and including the three location limit established herein, and shall not be required to provide reimbursement for additional locations beyond that limit under section 6 of this act, P.L.2021, c.40 (C.19:15A-6). Whenever possible, each such location shall be geographically located in the part of the municipality that features the greatest concentration of population, according to the most recent federal decennial census of the United States. All early voting locations shall be public facilities, such as municipal courthouses and the offices of the municipal clerk, or places of public accommodation as provided under Title 10 of the Revised Statutes. No public school building and no building used as a public school, as that term is defined under N.J.S.18A:1-1, shall be designated as an early voting location. The locations shall be designated at the same time as all other polling places are designated by the board of elections. In the event of a tie vote among members of the county board with respect to the selection of sites for early voting, the municipal clerk shall cast the deciding vote. Once early voting locations are designated in each municipality, county boards of election shall evaluate and, if deemed necessary, revise these locations in order to accommodate significant changes in the number of registered voters within each municipality, reflect the population distribution and density within each municipality, or because of similar circumstances. The Secretary of State may develop the criteria to be used by county boards of election to revise the location of early voting sites and shall prescribe how often such revision shall take place.

A voter shall be permitted to vote at any early voting site in the voter's municipality.

c. Each early voting site in a county or municipality shall be open for early voting on Monday through Saturday from at least 10 AM to 8 PM, and on Sunday from at least 10 AM

to 6 PM. Any voter who is on line at the time scheduled for the closing of an early voting site shall be permitted to vote.

d. The election officers responsible for conducting early voting shall be the same as those responsible for conducting a primary and a general election, as appropriate, pursuant to this Title. The number of such officers and their hours of service shall be as determined by each county board of elections. The compensation for such officers shall be the same as provided to district board of election members serving at a school election pursuant to R.S.19:45-6, or that required pursuant to Article I, paragraph 23 of the New Jersey Constitution, whichever is greater.

e. The restrictions governing the conduct of voters at a polling place on the days that early voting occurs, the procedures governing who is permitted in a polling place on such occasions and the prohibition on electioneering within 100 feet of a polling place during an election, or within 200 feet of a polling place during an election if the electioneering prohibition is extended at the discretion of a county board of elections, shall be as provided in chapters 15, 34, 50 and 52 of Title 19 of the Revised Statutes and every other applicable section of this Title.

f. In real time using the electronic poll books each day during the early voting period, and prior to the start of each regularly scheduled primary and general election, and regular municipal election in each non-partisan municipality choosing to participate in early voting, each county board shall make such changes as may be necessary to the voter's record in the Statewide voter registration system to indicate that a voter has voted in that election using the early voting procedure.

g. (1) Each county board shall be responsible for forming and executing a written plan to ensure, to the greatest extent possible, the integrity of the voting process and the security of ballots used during the early voting period, including the security of voting machines, voted ballots, and election records. The plan shall be based on guidelines established by the Secretary of State and shall be submitted thereto no later than December 15 of each year. The Secretary of State shall review and, if deemed necessary thereby, require changes to a plan no later than February 1 of each year. Each plan shall specify a chain of custody and security plan for the voting machines, and a chain of custody for the voted ballots and election records and materials, and shall require, among other specifications deemed necessary by the Secretary of State and county boards of election, that all voted ballots shall be transferred at the end of each early voting day to county boards of election for safekeeping. After the voted ballots are transferred to the county board of elections at the end of each early voting day, a county board may elect to impound those voted ballots on a secure server, or by any other means deemed appropriate by the Secretary of State. The voted ballots shall not be canvassed until the closing of the polls on election day as required pursuant to section 4 of this act, P.L.2021, c.40 (C.19:15A-4). The results of the voted ballots cast during early voting shall remain confidential and shall be disclosed only in accordance with the provisions of Title 19 of the Revised Statutes, regulations, and guidelines concerning the disclosure of election results, and a violation shall be subject to the penalties established by law.

(2) Notwithstanding the provisions of this subsection, in the year in which P.L.2021, c.40 (C.19:15A-1 et al.) becomes law, each county board shall submit its plan to the Secretary of State within 30 days following the effective date of this act and the Secretary of State shall review it and, if deemed necessary thereby, require changes in the plan within 45 days following the effective date of this act.

h. Each county board shall make certain that each polling place used for early voting shall be accessible to individuals with disabilities and the elderly, in compliance with the "Americans with Disabilities Act of 1990" (42 U.S.C. s.12101 et seq.), and that each polling place provides such voters, including the blind and visually impaired, the same opportunity for

access and participation, including privacy and independence, as other voters in compliance with the "Help America Vote Act of 2002" (42 U.S.C. s.15481).

i. The Secretary of State shall establish a printing on demand ballot and elections system. At a minimum, the system shall be compatible with the Statewide voter registration system established pursuant to section 1 of P.L.2005, c.145 (C.19:31-31) and any electronic poll books provided by section 1 of P.L.2019, c.80 (C.19:31-35). Each polling place used for early voting shall have a computer, tablet, or other electronic device to print provisional ballots for voters required to vote by provisional ballot in accordance with the provisions of Title 19 of the Revised Statutes or due to an equipment malfunction as further provided under section 3 of P.L.2019, c.80 (C.19:31-37), or any other election related material, if needed. A computer, tablet, or other electronic device and the printer used to print election materials at a polling place shall not be used unless it has been certified by the Secretary of State. The Secretary of State shall adopt and publish standards and regulations governing the certification and use of computer, tablets, or other electronic devices and printers to print election materials at each polling place used for early voting. The Secretary of State shall not certify a computer, tablet, or other electronic device or printer unless it is in compliance with the secretary's standards.

j. Each polling place used for early voting shall also have such appropriate supplies, ballots and other materials deemed necessary by the Secretary of State or as is required currently for a polling place on the day of any election by Title 19 of the Revised Statutes.

2. R.S.19:34-6 is amended to read as follows:

Prohibited actions in polling place on election day; exception for simulated voting.

19:34-6. a. If a person shall on election day tamper, deface or interfere with any polling booth or obstruct the entrance to any polling place, or obstruct or interfere with any voter, or loiter in or near the polling place, or, with the purpose to obstruct or interfere with any voter or to unduly delay other voters from voting, spend an inordinate amount of time in the polling booth, or do any electioneering within any polling place or within one hundred feet thereof, or within 200 feet thereof if the electioneering prohibition is extended at the discretion of a county board of elections, he shall be guilty of a crime of the third degree.

b. This section shall not be construed to prohibit a minor from entering a polling place on the day of an election to vote in a simulated election at that polling place, or persons from supervising or working at a polling place in a simulated election in which minors vote, provided that the county board of elections has determined that the polling place can accommodate simulated election activities without interfering with the orderly conduct of the official voting process.

3. R.S.19:34-7 is amended to read as follows:

Violation of ballot regulations.

19:34-7. No person shall within the polling room mark his ballot in a place other than in the polling booth or show his ballot, nor shall anyone request such person to show his ballot during the preparation thereof, nor shall any other person inspect such ballot during the preparation thereof or after it is prepared for voting in such a way as to reveal the contents, nor shall any person within the polling place or within a hundred feet thereof, loiter, electioneer, or solicit any voter, or electioneer within 200 feet of the polling place if the electioneering prohibition is extended at the discretion of a county board of elections.

No voter, at any election where official ballots are used, shall knowingly vote or offer to vote any ballot except an official ballot as by this Title required.

No person shall on any pretext carry any official ballot from the polling room on any election day except such persons as may by this Title be authorized to do so.

Any person violating any of the provisions of this section shall be guilty of a crime of the fourth degree.

4. R.S.19:34-15 is amended to read as follows:

Electioneering within or about polling place; disorderly persons offense.

19:34-15. a. If a person shall distribute or display any circular or printed matter or offer any suggestion or solicit any support for any candidate, party or public question within the polling place or room or within a distance of 100 feet of the outside entrance to such polling place or room, or within 100 feet of a ballot drop box in use during the conduct of an election, the person shall be guilty of a disorderly persons offense.

b. Each county board of elections shall have the discretion to extend the prohibition against electioneering provided under subsection a. of this section to be within a distance of 200 feet of the outside entrance to a polling place or room, or of a ballot drop box in use during the conduct of an election within the county. Each county board of elections shall provide a clear and conspicuous notice of the electioneering prohibition outside the polling place, room, or ballot drop box prior to placing the prohibition into effect, including the penalties for any violation of that prohibition. A person who violates an electioneering prohibition established by a county board of elections pursuant to this subsection shall be guilty of a disorderly persons offense.

5. This act shall take effect immediately.

Approved July 8, 2025.

**SENATE, No. 3850**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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INTRODUCED OCTOBER 28, 2024

**Sponsored by:**

**Senator BOB SMITH**

**District 17 (Middlesex and Somerset)**

**Senator NICHOLAS P. SCUTARI**

**District 22 (Somerset and Union)**

**SYNOPSIS**

Permits county boards of elections to extend distance within which electioneering is prohibited.

**CURRENT VERSION OF TEXT**

As introduced.



1   **AN ACT** concerning electioneering and amending various parts of  
2       the statutory law.

3

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

6

7       1. Section 1 of P.L.2021, c.40 (C.19:15A-1) is amended to read  
8 as follows:

9       1. a. In addition to all other forms of voting provided for by this  
10 Title, a registered voter shall be permitted to vote at a specially  
11 designated polling place before the day of certain primary and  
12 general elections in this State. This procedure shall be known as  
13 early voting. The early voting period shall:

14       (1) start on the 4th calendar day before a non-presidential  
15 primary election for a non-presidential general election and end on  
16 the second calendar day before that non-presidential primary  
17 election;

18       (2) start on the 6th calendar day before a presidential primary  
19 election for a presidential general election and end on the second  
20 calendar day before that presidential primary election; or

21       (3) start on the 10th calendar day before a general election and  
22 end on the second calendar day before that general election.

23       The voting process during the early voting period shall be  
24 conducted using electronic poll books and optical-scan voting  
25 machines that read hand-marked paper ballots or other voting  
26 machines that produce a voter-verifiable paper ballot. Any  
27 municipality conducting regular municipal elections in May  
28 pursuant to the provisions of the "Uniform Nonpartisan Elections  
29 Law," P.L.1981, c.379 (C.40:45-5 et seq.), may, by an ordinance  
30 adopted by its governing body, also conduct early voting for the  
31 regular municipal election, in accordance with the provisions of this  
32 act, P.L.2021, c.40 (C.19:15A-1 et al.). If adopted by a municipal  
33 governing body, the early voting period for a regular municipal  
34 election in May shall start on the 4th calendar day before the regular  
35 municipal election and end on the second calendar day before that  
36 regular municipal election. An early voting period shall only be  
37 permitted for a non-presidential or presidential primary election and  
38 a general election in this State and, if adopted by a municipal  
39 governing body, a regular municipal election conducted in May.  
40 Pursuant to the provisions of this act and Title 19 of the Revised  
41 Statutes and in accordance with procedures that may be established  
42 by the Secretary of State for verifying eligible voters, each county  
43 board of elections shall verify that a registered voter is qualified to  
44 vote in the election and shall prescribe the manner by which a  
45 registered voter may vote during such period.

**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       b. (1) For the primary and the general election, each county  
2 board of elections shall designate at least three, but not more than  
3 five, public locations within each county as the sites for early  
4 voting to occur, except that the county board shall designate at least  
5 five, but not more than seven, public locations for early voting if  
6 the number of registered voters in the county is at least 150,000 but  
7 less than 300,000, and shall designate at least seven, but not more  
8 than 10, public locations for early voting if the number of registered  
9 voters in the county is 300,000 or more. This provision shall not be  
10 interpreted to prevent county boards of elections, at their discretion,  
11 from establishing additional locations in excess of the five, seven,  
12 or 10 location limits respectively set forth herein; provided,  
13 however, that the State shall be required to provide reimbursement  
14 for the costs of locations up to and including the five, seven, or 10  
15 respective limits established herein, and shall not be required to  
16 provide reimbursement for additional locations beyond those limits  
17 under section 6 of this act, P.L.2021, c.40 (C.19:15A-6). The  
18 number of registered voters in each county shall be determined  
19 ahead of the selection of early voting sites pursuant to a uniform  
20 standard which shall be developed by the Secretary of State through  
21 the rulemaking process pursuant to the "Administrative Procedure  
22 Act," P.L.1968, c.410 (C.52:14B-1 et seq.). Whenever possible,  
23 early voting locations shall be geographically located so as to  
24 ensure both access in the part of the county that features the greatest  
25 concentration of population, according to the most recent federal  
26 decennial census of the United States, and access in various  
27 geographic areas of the county. All early voting locations shall be  
28 public facilities, such as county courthouses, public libraries and the  
29 offices of the municipal clerk, county clerk, and county board of  
30 elections, or places of public accommodation as provided under  
31 Title 10 of the Revised Statutes. No public school building and no  
32 building used as a public school, as that term is defined under  
33 N.J.S.18A:1-1, shall, however, be designated as an early voting  
34 location. The locations shall be designated at the same time as all  
35 other polling places are designated by the board of elections. In the  
36 event of a tie vote among members of the county board with respect  
37 to the selection of sites for early voting, the county clerk shall cast  
38 the deciding vote. Once early voting locations are designated in  
39 each county, county boards of election shall evaluate and, if deemed  
40 necessary, revise these locations in order to accommodate  
41 significant changes in the number of registered voters within each  
42 county, reflect the population distribution and density within each  
43 county, or because of similar circumstances. The Secretary of State  
44 may develop the criteria to be used by county boards of election to  
45 revise the location of early voting sites and shall prescribe how  
46 often such revision shall take place.

47       A voter shall be permitted to vote at any early voting site in the  
48 voter's county.

1 (2) Whenever a municipality that conducts regular municipal  
2 elections in May chooses to participate in early voting for the  
3 regular municipal election, the county board of elections shall  
4 designate at least one public location, but not more than three public  
5 locations, within the municipality as the site or sites for early voting  
6 to occur. This provision shall not be interpreted to prevent a county  
7 board of elections, at its discretion, from establishing additional  
8 locations in excess of the three location limit set forth herein;  
9 provided, however, that the State shall be required to provide  
10 reimbursement for the costs of locations up to and including the  
11 three location limit established herein, and shall not be required to  
12 provide reimbursement for additional locations beyond that limit  
13 under section 6 of this act, P.L.2021, c.40 (C.19:15A-6). Whenever  
14 possible, each such location shall be geographically located in the  
15 part of the municipality that features the greatest concentration of  
16 population, according to the most recent federal decennial census of  
17 the United States. All early voting locations shall be public  
18 facilities, such as municipal courthouses and the offices of the  
19 municipal clerk, or places of public accommodation as provided  
20 under Title 10 of the Revised Statutes. No public school building  
21 and no building used as a public school, as that term is defined  
22 under N.J.S.18A:1-1, shall be designated as an early voting  
23 location. The locations shall be designated at the same time as all  
24 other polling places are designated by the board of elections. In the  
25 event of a tie vote among members of the county board with respect  
26 to the selection of sites for early voting, the municipal clerk shall  
27 cast the deciding vote. Once early voting locations are designated  
28 in each municipality, county boards of election shall evaluate and, if  
29 deemed necessary, revise these locations in order to accommodate  
30 significant changes in the number of registered voters within each  
31 municipality, reflect the population distribution and density within  
32 each municipality, or because of similar circumstances. The  
33 Secretary of State may develop the criteria to be used by county  
34 boards of election to revise the location of early voting sites and  
35 shall prescribe how often such revision shall take place.

36 A voter shall be permitted to vote at any early voting site in the  
37 voter's municipality.

38 c. Each early voting site in a county or municipality shall be  
39 open for early voting on Monday through Saturday from at least 10  
40 AM to 8 PM, and on Sunday from at least 10 AM to 6 PM. Any  
41 voter who is on line at the time scheduled for the closing of an early  
42 voting site shall be permitted to vote.

43 d. The election officers responsible for conducting early voting  
44 shall be the same as those responsible for conducting a primary and  
45 a general election, as appropriate, pursuant to this Title. The  
46 number of such officers and their hours of service shall be as  
47 determined by each county board of elections. The compensation  
48 for such officers shall be the same as provided to district board of

1 election members serving at a school election pursuant to  
2 R.S.19:45-6, or that required pursuant to Article I, paragraph 23 of  
3 the New Jersey Constitution, whichever is greater.

4 e. The restrictions governing the conduct of voters at a polling  
5 place on the days that early voting occurs, the procedures governing  
6 who is permitted in a polling place on such occasions and the  
7 prohibition on electioneering within 100 feet of a polling place  
8 during an election, or within 200 feet of a polling place during an  
9 election if the electioneering prohibition is extended at the  
10 discretion of a county board of elections, shall be as provided in  
11 chapters 15, 34, 50 and 52 of Title 19 of the Revised Statutes and  
12 every other applicable section of this Title.

13 f. In real time using the electronic poll books each day during  
14 the early voting period, and prior to the start of each regularly  
15 scheduled primary and general election, and regular municipal  
16 election in each non-partisan municipality choosing to participate in  
17 early voting, each county board shall make such changes as may be  
18 necessary to the voter's record in the Statewide voter registration  
19 system to indicate that a voter has voted in that election using the  
20 early voting procedure.

21 g. (1) Each county board shall be responsible for forming and  
22 executing a written plan to ensure, to the greatest extent possible,  
23 the integrity of the voting process and the security of ballots used  
24 during the early voting period, including the security of voting  
25 machines, voted ballots, and election records. The plan shall be  
26 based on guidelines established by the Secretary of State and shall  
27 be submitted thereto no later than December 15 of each year. The  
28 Secretary of State shall review and, if deemed necessary thereby,  
29 require changes to a plan no later than February 1 of each year.  
30 Each plan shall specify a chain of custody and security plan for the  
31 voting machines, and a chain of custody for the voted ballots and  
32 election records and materials, and shall require, among other  
33 specifications deemed necessary by the Secretary of State and  
34 county boards of election, that all voted ballots shall be transferred  
35 at the end of each early voting day to county boards of election for  
36 safekeeping. After the voted ballots are transferred to the county  
37 board of elections at the end of each early voting day, a county  
38 board may elect to impound those voted ballots on a secure server,  
39 or by any other means deemed appropriate by the Secretary of State.  
40 The voted ballots shall not be canvassed until the closing of the  
41 polls on election day as required pursuant to section 4 of this act,  
42 P.L.2021, c.40 (C.19:15A-4). The results of the voted ballots cast  
43 during early voting shall remain confidential and shall be disclosed  
44 only in accordance with the provisions of Title 19 of the Revised  
45 Statutes, regulations, and guidelines concerning the disclosure of  
46 election results, and a violation shall be subject to the penalties  
47 established by law.

1 (2) Notwithstanding the provisions of this subsection, in the  
2 year in which P.L.2021, c.40 (C.19:15A-1 et al.) becomes law, each  
3 county board shall submit its plan to the Secretary of State within  
4 30 days following the effective date of this act and the Secretary of  
5 State shall review it and, if deemed necessary thereby, require  
6 changes in the plan within 45 days following the effective date of  
7 this act.

8 h. Each county board shall make certain that each polling place  
9 used for early voting shall be accessible to individuals with  
10 disabilities and the elderly, in compliance with the "Americans with  
11 Disabilities Act of 1990" (42 U.S.C. s.12101 et seq.), and that each  
12 polling place provides such voters, including the blind and visually  
13 impaired, the same opportunity for access and participation,  
14 including privacy and independence, as other voters in compliance  
15 with the "Help America Vote Act of 2002" (42 U.S.C. s.15481).

16 i. The Secretary of State shall establish a printing on demand  
17 ballot and elections system. At a minimum, the system shall be  
18 compatible with the Statewide voter registration system established  
19 pursuant to section 1 of P.L.2005, c.145 (C.19:31-31) and any  
20 electronic poll books provided by section 1 of P.L.2019, c.80  
21 (C.19:31-35). Each polling place used for early voting shall have a  
22 computer, tablet, or other electronic device to print provisional  
23 ballots for voters required to vote by provisional ballot in  
24 accordance with the provisions of Title 19 of the Revised Statutes  
25 or due to an equipment malfunction as further provided under  
26 section 3 of P.L.2019, c.80 (C.19:31-37), or any other election  
27 related material, if needed. A computer, tablet, or other electronic  
28 device and the printer used to print election materials at a polling  
29 place shall not be used unless it has been certified by the Secretary  
30 of State. The Secretary of State shall adopt and publish standards  
31 and regulations governing the certification and use of computer,  
32 tablets, or other electronic devices and printers to print election  
33 materials at each polling place used for early voting. The Secretary  
34 of State shall not certify a computer, tablet, or other electronic  
35 device or printer unless it is in compliance with the secretary's  
36 standards.

37 j. Each polling place used for early voting shall also have such  
38 appropriate supplies, ballots and other materials deemed necessary  
39 by the Secretary of State or as is required currently for a polling  
40 place on the day of any election by Title 19 of the Revised Statutes.  
41 (cf: P.L.2021, c.40, s.1)

42  
43 2. R.S.19:34-6 is amended to read as follows:

44 19:34-6. a. If a person shall on election day tamper, deface or  
45 interfere with any polling booth or obstruct the entrance to any  
46 polling place, or obstruct or interfere with any voter, or loiter in or  
47 near the polling place, or, with the purpose to obstruct or interfere  
48 with any voter or to unduly delay other voters from voting, spend an

1 inordinate amount of time in the polling booth, or do any  
2 electioneering within any polling place or within one hundred feet  
3 thereof, or within 200 feet thereof if the electioneering prohibition  
4 is extended at the discretion of a county board of elections, he shall  
5 be guilty of a crime of the third degree.

6 b. This section shall not be construed to prohibit a minor from  
7 entering a polling place on the day of an election to vote in a  
8 simulated election at that polling place, or persons from supervising  
9 or working at a polling place in a simulated election in which  
10 minors vote, provided that the county board of elections has  
11 determined that the polling place can accommodate simulated  
12 election activities without interfering with the orderly conduct of  
13 the official voting process.

14 (cf: P.L.2005, c.154, s.26)

15

16 3. R.S.19:34-7 is amended to read as follows:

17 19:34-7. No person shall within the polling room mark his ballot  
18 in a place other than in the polling booth or show his ballot, nor  
19 shall anyone request such person to show his ballot during the  
20 preparation thereof, nor shall any other person inspect such ballot  
21 during the preparation thereof or after it is prepared for voting in  
22 such a way as to reveal the contents, nor shall any person within the  
23 polling place or within a hundred feet thereof, loiter, electioneer, or  
24 solicit any voter, or electioneer within 200 feet of the polling place  
25 if the electioneering prohibition is extended at the discretion of a  
26 county board of elections.

27 No voter, at any election where official ballots are used, shall  
28 knowingly vote or offer to vote any ballot except an official ballot  
29 as by this Title required.

30 No person shall on any pretext carry any official ballot from the  
31 polling room on any election day except such persons as may by  
32 this Title be authorized to do so.

33 Any person violating any of the provisions of this section shall  
34 be guilty of a crime of the fourth degree.

35 (cf: P.L.2005, c.154, s.27)

36

37 4. R.S.19:34-15 is amended to read as follows:

38 19:34-15. a. If a person shall distribute or display any circular  
39 or printed matter or offer any suggestion or solicit any support for  
40 any candidate, party or public question within the polling place or  
41 room or within a distance of 100 feet of the outside entrance to such  
42 polling place or room, or within 100 feet of a ballot drop box in use  
43 during the conduct of an election, the person shall be guilty of a  
44 disorderly persons offense.

45 b. Each county board of elections shall have the discretion to  
46 extend the prohibition against electioneering provided under  
47 subsection a. of this section to be within a distance of 200 feet of  
48 the outside entrance to a polling place or room, or of a ballot drop

1 box in use during the conduct of an election within the county.  
2 Each county board of elections shall provide a clear and  
3 conspicuous notice of the electioneering prohibition outside the  
4 polling place, room, or ballot drop box prior to placing the  
5 prohibition into effect, including the penalties for any violation of  
6 that prohibition. A person who violates an electioneering  
7 prohibition established by a county board of elections pursuant to  
8 this subsection shall be guilty of a disorderly persons offense.

9 (cf: P.L.2021, c.459, s.5)

10  
11 5. This act shall take effect immediately.

12  
13  
14 STATEMENT

15  
16 This bill permits county boards of elections to extend the  
17 distance within which electioneering is prohibited outside a polling  
18 place, room, or ballot drop box in use during the conduct of an  
19 election.

20 Under current law, electioneering is prohibited inside any polling  
21 place or room, and within a distance of 100 feet of the outside  
22 entrance to a polling place or room, or within 100 feet of a ballot  
23 drop box in use during the conduct of an election. This bill grants  
24 county boards of elections the discretion to extend the distance  
25 prohibiting electioneering to be within 200 feet of the outside  
26 entrance to any polling place or room, or of a ballot drop box in use  
27 during the conduct of an election within the county. The bill  
28 requires county boards of elections to place a clear and conspicuous  
29 notice of the prohibition outside the polling place or room or ballot  
30 drop box prior to placing the prohibition into effect, including the  
31 penalties for any violation of the prohibition. A person who violates  
32 an electioneering prohibition established by a county board of  
33 elections as provided under the bill will be guilty of a crime of the  
34 same degree as currently established for a violation of the 100 feet  
35 prohibition.

[First Reprint]

**SENATE, No. 3850**

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**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

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INTRODUCED OCTOBER 28, 2024

**Sponsored by:**

**Senator BOB SMITH**

**District 17 (Middlesex and Somerset)**

**Senator NICHOLAS P. SCUTARI**

**District 22 (Somerset and Union)**

**Assemblyman ROBERT J. KARABINCHAK**

**District 18 (Middlesex)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

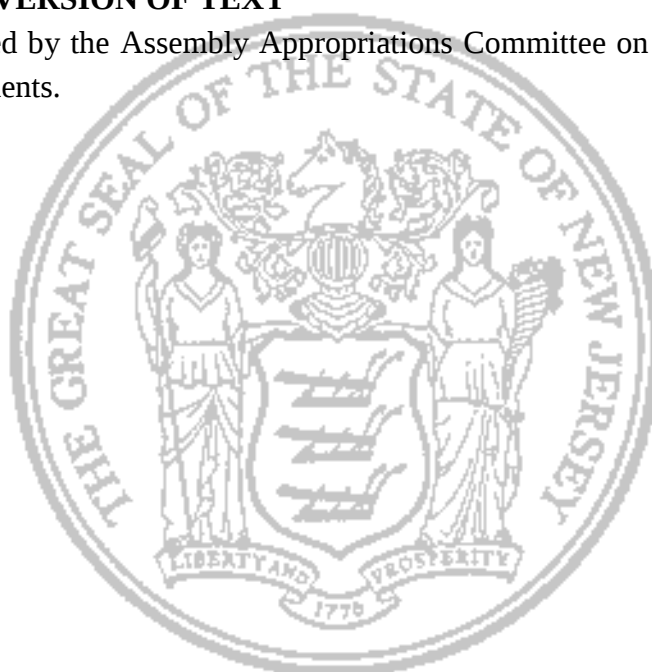
**District 15 (Hunterdon and Mercer)**

**SYNOPSIS**

Permits county boards of elections to extend distance within which electioneering is prohibited.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Appropriations Committee on May 15, 2025, with amendments.



**(Sponsorship Updated As Of: 5/22/2025)**

1 AN ACT concerning electioneering and amending various parts of  
2 the statutory law.

3  
4 BE IT ENACTED *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 <sup>1</sup>[1. Section 1 of P.L.2021, c.40 (C.19:15A-1) is amended to  
8 read as follows:

9 1. a. In addition to all other forms of voting provided for by this  
10 Title, a registered voter shall be permitted to vote at a specially  
11 designated polling place before the day of certain primary and  
12 general elections in this State. This procedure shall be known as  
13 early voting. The early voting period shall:

14 (1) start on the 4th calendar day before a non-presidential  
15 primary election for a non-presidential general election and end on  
16 the second calendar day before that non-presidential primary  
17 election;

18 (2) start on the 6th calendar day before a presidential primary  
19 election for a presidential general election and end on the second  
20 calendar day before that presidential primary election; or

21 (3) start on the 10th calendar day before a general election and  
22 end on the second calendar day before that general election.

23 The voting process during the early voting period shall be  
24 conducted using electronic poll books and optical-scan voting  
25 machines that read hand-marked paper ballots or other voting  
26 machines that produce a voter-verifiable paper ballot. Any  
27 municipality conducting regular municipal elections in May  
28 pursuant to the provisions of the "Uniform Nonpartisan Elections  
29 Law," P.L.1981, c.379 (C.40:45-5 et seq.), may, by an ordinance  
30 adopted by its governing body, also conduct early voting for the  
31 regular municipal election, in accordance with the provisions of this  
32 act, P.L.2021, c.40 (C.19:15A-1 et al.). If adopted by a municipal  
33 governing body, the early voting period for a regular municipal  
34 election in May shall start on the 4th calendar day before the regular  
35 municipal election and end on the second calendar day before that  
36 regular municipal election. An early voting period shall only be  
37 permitted for a non-presidential or presidential primary election and  
38 a general election in this State and, if adopted by a municipal  
39 governing body, a regular municipal election conducted in May.  
40 Pursuant to the provisions of this act and Title 19 of the Revised  
41 Statutes and in accordance with procedures that may be established  
42 by the Secretary of State for verifying eligible voters, each county  
43 board of elections shall verify that a registered voter is qualified to  
44 vote in the election and shall prescribe the manner by which a  
45 registered voter may vote during such period.

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 AAP committee amendments adopted May 15, 2025.

1       b. (1) For the primary and the general election, each county  
2 board of elections shall designate at least three, but not more than  
3 five, public locations within each county as the sites for early  
4 voting to occur, except that the county board shall designate at least  
5 five, but not more than seven, public locations for early voting if  
6 the number of registered voters in the county is at least 150,000 but  
7 less than 300,000, and shall designate at least seven, but not more  
8 than 10, public locations for early voting if the number of registered  
9 voters in the county is 300,000 or more. This provision shall not be  
10 interpreted to prevent county boards of elections, at their discretion,  
11 from establishing additional locations in excess of the five, seven,  
12 or 10 location limits respectively set forth herein; provided,  
13 however, that the State shall be required to provide reimbursement  
14 for the costs of locations up to and including the five, seven, or 10  
15 respective limits established herein, and shall not be required to  
16 provide reimbursement for additional locations beyond those limits  
17 under section 6 of this act, P.L.2021, c.40 (C.19:15A-6). The  
18 number of registered voters in each county shall be determined  
19 ahead of the selection of early voting sites pursuant to a uniform  
20 standard which shall be developed by the Secretary of State through  
21 the rulemaking process pursuant to the "Administrative Procedure  
22 Act," P.L.1968, c.410 (C.52:14B-1 et seq.). Whenever possible,  
23 early voting locations shall be geographically located so as to  
24 ensure both access in the part of the county that features the greatest  
25 concentration of population, according to the most recent federal  
26 decennial census of the United States, and access in various  
27 geographic areas of the county. All early voting locations shall be  
28 public facilities, such as county courthouses, public libraries and the  
29 offices of the municipal clerk, county clerk, and county board of  
30 elections, or places of public accommodation as provided under  
31 Title 10 of the Revised Statutes. No public school building and no  
32 building used as a public school, as that term is defined under  
33 N.J.S.18A:1-1, shall, however, be designated as an early voting  
34 location. The locations shall be designated at the same time as all  
35 other polling places are designated by the board of elections. In the  
36 event of a tie vote among members of the county board with respect  
37 to the selection of sites for early voting, the county clerk shall cast  
38 the deciding vote. Once early voting locations are designated in  
39 each county, county boards of election shall evaluate and, if deemed  
40 necessary, revise these locations in order to accommodate  
41 significant changes in the number of registered voters within each  
42 county, reflect the population distribution and density within each  
43 county, or because of similar circumstances. The Secretary of State  
44 may develop the criteria to be used by county boards of election to  
45 revise the location of early voting sites and shall prescribe how  
46 often such revision shall take place.

47       A voter shall be permitted to vote at any early voting site in the  
48 voter's county.

1 (2) Whenever a municipality that conducts regular municipal  
2 elections in May chooses to participate in early voting for the  
3 regular municipal election, the county board of elections shall  
4 designate at least one public location, but not more than three public  
5 locations, within the municipality as the site or sites for early voting  
6 to occur. This provision shall not be interpreted to prevent a county  
7 board of elections, at its discretion, from establishing additional  
8 locations in excess of the three location limit set forth herein;  
9 provided, however, that the State shall be required to provide  
10 reimbursement for the costs of locations up to and including the  
11 three location limit established herein, and shall not be required to  
12 provide reimbursement for additional locations beyond that limit  
13 under section 6 of this act, P.L.2021, c.40 (C.19:15A-6). Whenever  
14 possible, each such location shall be geographically located in the  
15 part of the municipality that features the greatest concentration of  
16 population, according to the most recent federal decennial census of  
17 the United States. All early voting locations shall be public  
18 facilities, such as municipal courthouses and the offices of the  
19 municipal clerk, or places of public accommodation as provided  
20 under Title 10 of the Revised Statutes. No public school building  
21 and no building used as a public school, as that term is defined  
22 under N.J.S.18A:1-1, shall be designated as an early voting  
23 location. The locations shall be designated at the same time as all  
24 other polling places are designated by the board of elections. In the  
25 event of a tie vote among members of the county board with respect  
26 to the selection of sites for early voting, the municipal clerk shall  
27 cast the deciding vote. Once early voting locations are designated  
28 in each municipality, county boards of election shall evaluate and, if  
29 deemed necessary, revise these locations in order to accommodate  
30 significant changes in the number of registered voters within each  
31 municipality, reflect the population distribution and density within  
32 each municipality, or because of similar circumstances. The  
33 Secretary of State may develop the criteria to be used by county  
34 boards of election to revise the location of early voting sites and  
35 shall prescribe how often such revision shall take place.

36 A voter shall be permitted to vote at any early voting site in the  
37 voter's municipality.

38 c. Each early voting site in a county or municipality shall be  
39 open for early voting on Monday through Saturday from at least 10  
40 AM to 8 PM, and on Sunday from at least 10 AM to 6 PM. Any  
41 voter who is on line at the time scheduled for the closing of an early  
42 voting site shall be permitted to vote.

43 d. The election officers responsible for conducting early voting  
44 shall be the same as those responsible for conducting a primary and  
45 a general election, as appropriate, pursuant to this Title. The  
46 number of such officers and their hours of service shall be as  
47 determined by each county board of elections. The compensation  
48 for such officers shall be the same as provided to district board of

1 election members serving at a school election pursuant to  
2 R.S.19:45-6, or that required pursuant to Article I, paragraph 23 of  
3 the New Jersey Constitution, whichever is greater.

4 e. The restrictions governing the conduct of voters at a polling  
5 place on the days that early voting occurs, the procedures governing  
6 who is permitted in a polling place on such occasions and the  
7 prohibition on electioneering within 100 feet of a polling place  
8 during an election, or within 200 feet of a polling place during an  
9 election if the electioneering prohibition is extended at the  
10 discretion of a county board of elections, shall be as provided in  
11 chapters 15, 34, 50 and 52 of Title 19 of the Revised Statutes and  
12 every other applicable section of this Title.

13 f. In real time using the electronic poll books each day during  
14 the early voting period, and prior to the start of each regularly  
15 scheduled primary and general election, and regular municipal  
16 election in each non-partisan municipality choosing to participate in  
17 early voting, each county board shall make such changes as may be  
18 necessary to the voter's record in the Statewide voter registration  
19 system to indicate that a voter has voted in that election using the  
20 early voting procedure.

21 g. (1) Each county board shall be responsible for forming and  
22 executing a written plan to ensure, to the greatest extent possible,  
23 the integrity of the voting process and the security of ballots used  
24 during the early voting period, including the security of voting  
25 machines, voted ballots, and election records. The plan shall be  
26 based on guidelines established by the Secretary of State and shall  
27 be submitted thereto no later than December 15 of each year. The  
28 Secretary of State shall review and, if deemed necessary thereby,  
29 require changes to a plan no later than February 1 of each year.  
30 Each plan shall specify a chain of custody and security plan for the  
31 voting machines, and a chain of custody for the voted ballots and  
32 election records and materials, and shall require, among other  
33 specifications deemed necessary by the Secretary of State and  
34 county boards of election, that all voted ballots shall be transferred  
35 at the end of each early voting day to county boards of election for  
36 safekeeping. After the voted ballots are transferred to the county  
37 board of elections at the end of each early voting day, a county  
38 board may elect to impound those voted ballots on a secure server,  
39 or by any other means deemed appropriate by the Secretary of State.  
40 The voted ballots shall not be canvassed until the closing of the  
41 polls on election day as required pursuant to section 4 of this act,  
42 P.L.2021, c.40 (C.19:15A-4). The results of the voted ballots cast  
43 during early voting shall remain confidential and shall be disclosed  
44 only in accordance with the provisions of Title 19 of the Revised  
45 Statutes, regulations, and guidelines concerning the disclosure of  
46 election results, and a violation shall be subject to the penalties  
47 established by law.

1 (2) Notwithstanding the provisions of this subsection, in the  
2 year in which P.L.2021, c.40 (C.19:15A-1 et al.) becomes law, each  
3 county board shall submit its plan to the Secretary of State within  
4 30 days following the effective date of this act and the Secretary of  
5 State shall review it and, if deemed necessary thereby, require  
6 changes in the plan within 45 days following the effective date of  
7 this act.

8 h. Each county board shall make certain that each polling place  
9 used for early voting shall be accessible to individuals with  
10 disabilities and the elderly, in compliance with the "Americans with  
11 Disabilities Act of 1990" (42 U.S.C. s.12101 et seq.), and that each  
12 polling place provides such voters, including the blind and visually  
13 impaired, the same opportunity for access and participation,  
14 including privacy and independence, as other voters in compliance  
15 with the "Help America Vote Act of 2002" (42 U.S.C. s.15481).

16 i. The Secretary of State shall establish a printing on demand  
17 ballot and elections system. At a minimum, the system shall be  
18 compatible with the Statewide voter registration system established  
19 pursuant to section 1 of P.L.2005, c.145 (C.19:31-31) and any  
20 electronic poll books provided by section 1 of P.L.2019, c.80  
21 (C.19:31-35). Each polling place used for early voting shall have a  
22 computer, tablet, or other electronic device to print provisional  
23 ballots for voters required to vote by provisional ballot in  
24 accordance with the provisions of Title 19 of the Revised Statutes  
25 or due to an equipment malfunction as further provided under  
26 section 3 of P.L.2019, c.80 (C.19:31-37), or any other election  
27 related material, if needed. A computer, tablet, or other electronic  
28 device and the printer used to print election materials at a polling  
29 place shall not be used unless it has been certified by the Secretary  
30 of State. The Secretary of State shall adopt and publish standards  
31 and regulations governing the certification and use of computer,  
32 tablets, or other electronic devices and printers to print election  
33 materials at each polling place used for early voting. The Secretary  
34 of State shall not certify a computer, tablet, or other electronic  
35 device or printer unless it is in compliance with the secretary's  
36 standards.

37 j. Each polling place used for early voting shall also have such  
38 appropriate supplies, ballots and other materials deemed necessary  
39 by the Secretary of State or as is required currently for a polling  
40 place on the day of any election by Title 19 of the Revised Statutes.  
41 (cf: P.L.2021, c.40, s.1)<sup>1</sup>

42  
43 <sup>1</sup>1. Section 1 of P.L.2021, c.40 (C.19:15A-1) is amended to read  
44 as follows:

45 1. a. In addition to all other forms of voting provided for by this  
46 Title, a registered voter shall be permitted to vote at a specially  
47 designated polling place before the day of certain primary and general

1 elections in this State. This procedure shall be known as early voting.  
2 The early voting period shall:

3 (1) start on the 7th calendar day before a non-presidential primary  
4 election for a non-presidential general election and end on the second  
5 calendar day before that non-presidential primary election;

6 (2) start on the 7th calendar day before a presidential primary  
7 election for a presidential general election and end on the second  
8 calendar day before that presidential primary election; or

9 (3) start on the 10th calendar day before a general election and end  
10 on the second calendar day before that general election.

11 The voting process during the early voting period shall be  
12 conducted using electronic poll books and optical-scan voting  
13 machines that read hand-marked paper ballots or other voting  
14 machines that produce a voter-verifiable paper ballot. Any  
15 municipality conducting regular municipal elections in May pursuant  
16 to the provisions of the "Uniform Nonpartisan Elections Law,"  
17 P.L.1981, c.379 (C.40:45-5 et seq.), may, by an ordinance adopted by  
18 its governing body, also conduct early voting for the regular municipal  
19 election, in accordance with the provisions of this act, P.L.2021, c.40  
20 (C.19:15A-1 et al.). If adopted by a municipal governing body, the  
21 early voting period for a regular municipal election in May shall start  
22 on the 4th calendar day before the regular municipal election and end  
23 on the second calendar day before that regular municipal election. An  
24 early voting period shall only be permitted for a non-presidential or  
25 presidential primary election and a general election in this State and, if  
26 adopted by a municipal governing body, a regular municipal election  
27 conducted in May. Pursuant to the provisions of this act and Title 19 of  
28 the Revised Statutes and in accordance with procedures that may be  
29 established by the Secretary of State for verifying eligible voters, each  
30 county board of elections shall verify that a registered voter is  
31 qualified to vote in the election and shall prescribe the manner by  
32 which a registered voter may vote during such period.

33 b. (1) For the primary and the general election, each county board  
34 of elections shall designate at least three, but not more than five, public  
35 locations within each county as the sites for early voting to occur,  
36 except that the county board shall designate at least five, but not more  
37 than seven, public locations for early voting if the number of registered  
38 voters in the county is at least 150,000 but less than 300,000, and shall  
39 designate at least seven, but not more than 10, public locations for  
40 early voting if the number of registered voters in the county is 300,000  
41 or more. This provision shall not be interpreted to prevent county  
42 boards of elections, at their discretion, from establishing additional  
43 locations in excess of the five, seven, or 10 location limits respectively  
44 set forth herein; provided, however, that the State shall be required to  
45 provide reimbursement for the costs of locations up to and including  
46 the five, seven, or 10 respective limits established herein, and shall not  
47 be required to provide reimbursement for additional locations beyond  
48 those limits under section 6 of this act, P.L.2021, c.40 (C.19:15A-6).

1 The number of registered voters in each county shall be determined  
2 ahead of the selection of early voting sites pursuant to a uniform  
3 standard which shall be developed by the Secretary of State through  
4 the rulemaking process pursuant to the "Administrative Procedure  
5 Act," P.L.1968, c.410 (C.52:14B-1 et seq.). Whenever possible, early  
6 voting locations shall be geographically located so as to ensure both  
7 access in the part of the county that features the greatest concentration  
8 of population, according to the most recent federal decennial census of  
9 the United States, and access in various geographic areas of the  
10 county. All early voting locations shall be public facilities, such as  
11 county courthouses, public libraries and the offices of the municipal  
12 clerk, county clerk, and county board of elections, or places of public  
13 accommodation as provided under Title 10 of the Revised Statutes. No  
14 public school building and no building used as a public school, as that  
15 term is defined under N.J.S.18A:1-1, shall, however, be designated as  
16 an early voting location. The locations shall be designated at the same  
17 time as all other polling places are designated by the board of  
18 elections. In the event of a tie vote among members of the county  
19 board with respect to the selection of sites for early voting, the county  
20 clerk shall cast the deciding vote. Once early voting locations are  
21 designated in each county, county boards of election shall evaluate  
22 and, if deemed necessary, revise these locations in order to  
23 accommodate significant changes in the number of registered voters  
24 within each county, reflect the population distribution and density  
25 within each county, or because of similar circumstances. The  
26 Secretary of State may develop the criteria to be used by county boards  
27 of election to revise the location of early voting sites and shall  
28 prescribe how often such revision shall take place.

29 A voter shall be permitted to vote at any early voting site in the  
30 voter's county.

31 (2) Whenever a municipality that conducts regular municipal  
32 elections in May chooses to participate in early voting for the regular  
33 municipal election, the county board of elections shall designate at  
34 least one public location, but not more than three public locations,  
35 within the municipality as the site or sites for early voting to occur.  
36 This provision shall not be interpreted to prevent a county board of  
37 elections, at its discretion, from establishing additional locations in  
38 excess of the three location limit set forth herein; provided, however,  
39 that the State shall be required to provide reimbursement for the costs  
40 of locations up to and including the three location limit established  
41 herein, and shall not be required to provide reimbursement for  
42 additional locations beyond that limit under section 6 of this act,  
43 P.L.2021, c.40 (C.19:15A-6). Whenever possible, each such location  
44 shall be geographically located in the part of the municipality that  
45 features the greatest concentration of population, according to the most  
46 recent federal decennial census of the United States. All early voting  
47 locations shall be public facilities, such as municipal courthouses and  
48 the offices of the municipal clerk, or places of public accommodation

1 as provided under Title 10 of the Revised Statutes. No public school  
2 building and no building used as a public school, as that term is  
3 defined under N.J.S.18A:1-1, shall be designated as an early voting  
4 location. The locations shall be designated at the same time as all  
5 other polling places are designated by the board of elections. In the  
6 event of a tie vote among members of the county board with respect to  
7 the selection of sites for early voting, the municipal clerk shall cast the  
8 deciding vote. Once early voting locations are designated in each  
9 municipality, county boards of election shall evaluate and, if deemed  
10 necessary, revise these locations in order to accommodate significant  
11 changes in the number of registered voters within each municipality,  
12 reflect the population distribution and density within each  
13 municipality, or because of similar circumstances. The Secretary of  
14 State may develop the criteria to be used by county boards of election  
15 to revise the location of early voting sites and shall prescribe how  
16 often such revision shall take place.

17 A voter shall be permitted to vote at any early voting site in the  
18 voter's municipality.

19 c. Each early voting site in a county or municipality shall be open  
20 for early voting on Monday through Saturday from at least 10 AM to 8  
21 PM, and on Sunday from at least 10 AM to 6 PM. Any voter who is  
22 on line at the time scheduled for the closing of an early voting site  
23 shall be permitted to vote.

24 d. The election officers responsible for conducting early voting  
25 shall be the same as those responsible for conducting a primary and a  
26 general election, as appropriate, pursuant to this Title. The number of  
27 such officers and their hours of service shall be as determined by each  
28 county board of elections. The compensation for such officers shall be  
29 the same as provided to district board of election members serving at a  
30 school election pursuant to R.S.19:45-6, or that required pursuant to  
31 Article I, paragraph 23 of the New Jersey Constitution, whichever is  
32 greater.

33 e. The restrictions governing the conduct of voters at a polling  
34 place on the days that early voting occurs, the procedures governing  
35 who is permitted in a polling place on such occasions and the  
36 prohibition on electioneering within 100 feet of a polling place during  
37 an election, or within 200 feet of a polling place during an election if  
38 the electioneering prohibition is extended at the discretion of a county  
39 board of elections, shall be as provided in chapters 15, 34, 50 and 52  
40 of Title 19 of the Revised Statutes and every other applicable section  
41 of this Title.

42 f. In real time using the electronic poll books each day during the  
43 early voting period, and prior to the start of each regularly scheduled  
44 primary and general election, and regular municipal election in each  
45 non-partisan municipality choosing to participate in early voting, each  
46 county board shall make such changes as may be necessary to the  
47 voter's record in the Statewide voter registration system to indicate that  
48 a voter has voted in that election using the early voting procedure.

1       g. (1) Each county board shall be responsible for forming and  
2       executing a written plan to ensure, to the greatest extent possible, the  
3       integrity of the voting process and the security of ballots used during  
4       the early voting period, including the security of voting machines,  
5       voted ballots, and election records. The plan shall be based on  
6       guidelines established by the Secretary of State and shall be submitted  
7       thereto no later than December 15 of each year. The Secretary of State  
8       shall review and, if deemed necessary thereby, require changes to a  
9       plan no later than February 1 of each year. Each plan shall specify a  
10      chain of custody and security plan for the voting machines, and a chain  
11      of custody for the voted ballots and election records and materials, and  
12      shall require, among other specifications deemed necessary by the  
13      Secretary of State and county boards of election, that all voted ballots  
14      shall be transferred at the end of each early voting day to county  
15      boards of election for safekeeping. After the voted ballots are  
16      transferred to the county board of elections at the end of each early  
17      voting day, a county board may elect to impound those voted ballots  
18      on a secure server, or by any other means deemed appropriate by the  
19      Secretary of State. The voted ballots shall not be canvassed until the  
20      closing of the polls on election day as required pursuant to section 4 of  
21      this act, P.L.2021, c.40 (C.19:15A-4). The results of the voted ballots  
22      cast during early voting shall remain confidential and shall be  
23      disclosed only in accordance with the provisions of Title 19 of the  
24      Revised Statutes, regulations, and guidelines concerning the disclosure  
25      of election results, and a violation shall be subject to the penalties  
26      established by law.

27      (2) Notwithstanding the provisions of this subsection, in the year  
28      in which P.L.2021, c.40 (C.19:15A-1 et al.) becomes law, each county  
29      board shall submit its plan to the Secretary of State within 30 days  
30      following the effective date of this act and the Secretary of State shall  
31      review it and, if deemed necessary thereby, require changes in the plan  
32      within 45 days following the effective date of this act.

33      h. Each county board shall make certain that each polling place  
34      used for early voting shall be accessible to individuals with disabilities  
35      and the elderly, in compliance with the "Americans with Disabilities  
36      Act of 1990" (42 U.S.C. s.12101 et seq.), and that each polling place  
37      provides such voters, including the blind and visually impaired, the  
38      same opportunity for access and participation, including privacy and  
39      independence, as other voters in compliance with the "Help America  
40      Vote Act of 2002" (42 U.S.C. s.15481).

41      i. The Secretary of State shall establish a printing on demand  
42      ballot and elections system. At a minimum, the system shall be  
43      compatible with the Statewide voter registration system established  
44      pursuant to section 1 of P.L.2005, c.145 (C.19:31-31) and any  
45      electronic poll books provided by section 1 of P.L.2019, c.80  
46      (C.19:31-35). Each polling place used for early voting shall have a  
47      computer, tablet, or other electronic device to print provisional ballots  
48      for voters required to vote by provisional ballot in accordance with the

1 provisions of Title 19 of the Revised Statutes or due to an equipment  
2 malfunction as further provided under section 3 of P.L.2019, c.80  
3 (C.19:31-37), or any other election related material, if needed. A  
4 computer, tablet, or other electronic device and the printer used to  
5 print election materials at a polling place shall not be used unless it has  
6 been certified by the Secretary of State. The Secretary of State shall  
7 adopt and publish standards and regulations governing the certification  
8 and use of computer, tablets, or other electronic devices and printers to  
9 print election materials at each polling place used for early voting.  
10 The Secretary of State shall not certify a computer, tablet, or other  
11 electronic device or printer unless it is in compliance with the  
12 secretary's standards.

13 j. Each polling place used for early voting shall also have such  
14 appropriate supplies, ballots and other materials deemed necessary by  
15 the Secretary of State or as is required currently for a polling place on  
16 the day of any election by Title 19 of the Revised Statutes.<sup>1</sup>

17 (cf: P.L.2025, c.23, s.2)

18

19 2. R.S.19:34-6 is amended to read as follows:

20 19:34-6. a. If a person shall on election day tamper, deface or  
21 interfere with any polling booth or obstruct the entrance to any  
22 polling place, or obstruct or interfere with any voter, or loiter in or  
23 near the polling place, or, with the purpose to obstruct or interfere  
24 with any voter or to unduly delay other voters from voting, spend an  
25 inordinate amount of time in the polling booth, or do any  
26 electioneering within any polling place or within one hundred feet  
27 thereof, or within 200 feet thereof if the electioneering prohibition  
28 is extended at the discretion of a county board of elections, he shall  
29 be guilty of a crime of the third degree.

30 b. This section shall not be construed to prohibit a minor from  
31 entering a polling place on the day of an election to vote in a  
32 simulated election at that polling place, or persons from supervising  
33 or working at a polling place in a simulated election in which  
34 minors vote, provided that the county board of elections has  
35 determined that the polling place can accommodate simulated  
36 election activities without interfering with the orderly conduct of  
37 the official voting process.

38 (cf: P.L.2005, c.154, s.26)

39

40 3. R.S.19:34-7 is amended to read as follows:

41 19:34-7. No person shall within the polling room mark his ballot  
42 in a place other than in the polling booth or show his ballot, nor  
43 shall anyone request such person to show his ballot during the  
44 preparation thereof, nor shall any other person inspect such ballot  
45 during the preparation thereof or after it is prepared for voting in  
46 such a way as to reveal the contents, nor shall any person within the  
47 polling place or within a hundred feet thereof, loiter, electioneer, or  
48 solicit any voter, or electioneer within 200 feet of the polling place

1 if the electioneering prohibition is extended at the discretion of a  
2 county board of elections.

3 No voter, at any election where official ballots are used, shall  
4 knowingly vote or offer to vote any ballot except an official ballot  
5 as by this Title required.

6 No person shall on any pretext carry any official ballot from the  
7 polling room on any election day except such persons as may by  
8 this Title be authorized to do so.

9 Any person violating any of the provisions of this section shall  
10 be guilty of a crime of the fourth degree.

11 (cf: P.L.2005, c.154, s.27)

12

13 4. R.S.19:34-15 is amended to read as follows:

14 19:34-15. a. If a person shall distribute or display any circular  
15 or printed matter or offer any suggestion or solicit any support for  
16 any candidate, party or public question within the polling place or  
17 room or within a distance of 100 feet of the outside entrance to such  
18 polling place or room, or within 100 feet of a ballot drop box in use  
19 during the conduct of an election, the person shall be guilty of a  
20 disorderly persons offense.

21 b. Each county board of elections shall have the discretion to  
22 extend the prohibition against electioneering provided under  
23 subsection a. of this section to be within a distance of 200 feet of  
24 the outside entrance to a polling place or room, or of a ballot drop  
25 box in use during the conduct of an election within the county.  
26 Each county board of elections shall provide a clear and  
27 conspicuous notice of the electioneering prohibition outside the  
28 polling place, room, or ballot drop box prior to placing the  
29 prohibition into effect, including the penalties for any violation of  
30 that prohibition. A person who violates an electioneering  
31 prohibition established by a county board of elections pursuant to  
32 this subsection shall be guilty of a disorderly persons offense.

33 (cf: P.L.2021, c.459, s.5)

34

35 5. This act shall take effect immediately.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

### **SENATE, No. 3850**

with committee amendments

# STATE OF NEW JERSEY

DATED: MAY 15, 2025

The Assembly Appropriations Committee reports favorably and with committee amendments Senate Bill No. 3850.

As amended and reported, this bill permits county boards of elections to extend the distance within which electioneering is prohibited outside a polling place, room, or ballot drop box in use during the conduct of an election.

Under current law, electioneering is prohibited inside any polling place or room, and within a distance of 100 feet of the outside entrance to a polling place or room, or within 100 feet of a ballot drop box in use during the conduct of an election. This bill grants county boards of elections the discretion to extend the distance prohibiting electioneering to be within 200 feet of the outside entrance to any polling place or room, or of a ballot drop box in use during the conduct of an election within the county. The bill requires county boards of elections to place a clear and conspicuous notice of the prohibition outside the polling place or room or ballot drop box prior to placing the prohibition into effect, including the penalties for any violation of the prohibition. A person who violates an electioneering prohibition established by a county board of elections as provided under the bill will be guilty of a crime of the same degree as currently established for a violation of the 100 feet prohibition.

As amended and reported by the committee, Senate Bill No. 3850 is identical to Assembly Bill No. 5356 (1R), which was also reported by the committee on this date.

#### COMMITTEE AMENDMENTS:

The committee amendments make technical changes to the bill to update a section of the bill to reflect current law.

#### FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &  
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

**SENATE, No. 3850**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 25, 2025

The Senate State Government, Wagering, Tourism & Historic Preservation Committee reports favorably Senate Bill No. 3850.

This bill permits county boards of elections to extend the distance within which electioneering is prohibited outside a polling place, room, or ballot drop box in use during the conduct of an election.

Under current law, electioneering is prohibited inside any polling place or room, and within a distance of 100 feet of the outside entrance to a polling place or room, or within 100 feet of a ballot drop box in use during the conduct of an election. This bill grants county boards of elections the discretion to extend the distance prohibiting electioneering to be within 200 feet of the outside entrance to any polling place or room, or of a ballot drop box in use during the conduct of an election within the county. The bill requires county boards of elections to place a clear and conspicuous notice of the prohibition outside the polling place or room or ballot drop box prior to placing the prohibition into effect, including the penalties for any violation of the prohibition. A person who violates an electioneering prohibition established by a county board of elections as provided under the bill will be guilty of a crime of the same degree as currently established for a violation of the 100 feet prohibition.

**ASSEMBLY, No. 5356**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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INTRODUCED FEBRUARY 25, 2025

**Sponsored by:**  
**Assemblyman ROBERT J. KARABINCHAK**  
**District 18 (Middlesex)**

**SYNOPSIS**

Permits county boards of elections to extend distance within which electioneering is prohibited.

**CURRENT VERSION OF TEXT**

As introduced.



1   **AN ACT** concerning electioneering and amending various parts of  
2       the statutory law.

3

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

6

7       1. Section 1 of P.L.2021, c.40 (C.19:15A-1) is amended to read  
8 as follows:

9       1. a. In addition to all other forms of voting provided for by this  
10 Title, a registered voter shall be permitted to vote at a specially  
11 designated polling place before the day of certain primary and  
12 general elections in this State. This procedure shall be known as  
13 early voting. The early voting period shall:

14       (1) start on the 4th calendar day before a non-presidential  
15 primary election for a non-presidential general election and end on  
16 the second calendar day before that non-presidential primary  
17 election;

18       (2) start on the 6th calendar day before a presidential primary  
19 election for a presidential general election and end on the second  
20 calendar day before that presidential primary election; or

21       (3) start on the 10th calendar day before a general election and  
22 end on the second calendar day before that general election.

23       The voting process during the early voting period shall be  
24 conducted using electronic poll books and optical-scan voting  
25 machines that read hand-marked paper ballots or other voting  
26 machines that produce a voter-verifiable paper ballot. Any  
27 municipality conducting regular municipal elections in May  
28 pursuant to the provisions of the "Uniform Nonpartisan Elections  
29 Law," P.L.1981, c.379 (C.40:45-5 et seq.), may, by an ordinance  
30 adopted by its governing body, also conduct early voting for the  
31 regular municipal election, in accordance with the provisions of this  
32 act, P.L.2021, c.40 (C.19:15A-1 et al.). If adopted by a municipal  
33 governing body, the early voting period for a regular municipal  
34 election in May shall start on the 4th calendar day before the regular  
35 municipal election and end on the second calendar day before that  
36 regular municipal election. An early voting period shall only be  
37 permitted for a non-presidential or presidential primary election and  
38 a general election in this State and, if adopted by a municipal  
39 governing body, a regular municipal election conducted in May.  
40 Pursuant to the provisions of this act and Title 19 of the Revised  
41 Statutes and in accordance with procedures that may be established  
42 by the Secretary of State for verifying eligible voters, each county  
43 board of elections shall verify that a registered voter is qualified to  
44 vote in the election and shall prescribe the manner by which a  
45 registered voter may vote during such period.

**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       b. (1) For the primary and the general election, each county  
2 board of elections shall designate at least three, but not more than  
3 five, public locations within each county as the sites for early  
4 voting to occur, except that the county board shall designate at least  
5 five, but not more than seven, public locations for early voting if  
6 the number of registered voters in the county is at least 150,000 but  
7 less than 300,000, and shall designate at least seven, but not more  
8 than 10, public locations for early voting if the number of registered  
9 voters in the county is 300,000 or more. This provision shall not be  
10 interpreted to prevent county boards of elections, at their discretion,  
11 from establishing additional locations in excess of the five, seven,  
12 or 10 location limits respectively set forth herein; provided,  
13 however, that the State shall be required to provide reimbursement  
14 for the costs of locations up to and including the five, seven, or 10  
15 respective limits established herein, and shall not be required to  
16 provide reimbursement for additional locations beyond those limits  
17 under section 6 of this act, P.L.2021, c.40 (C.19:15A-6). The  
18 number of registered voters in each county shall be determined  
19 ahead of the selection of early voting sites pursuant to a uniform  
20 standard which shall be developed by the Secretary of State through  
21 the rulemaking process pursuant to the "Administrative Procedure  
22 Act," P.L.1968, c.410 (C.52:14B-1 et seq.). Whenever possible,  
23 early voting locations shall be geographically located so as to  
24 ensure both access in the part of the county that features the greatest  
25 concentration of population, according to the most recent federal  
26 decennial census of the United States, and access in various  
27 geographic areas of the county. All early voting locations shall be  
28 public facilities, such as county courthouses, public libraries and the  
29 offices of the municipal clerk, county clerk, and county board of  
30 elections, or places of public accommodation as provided under  
31 Title 10 of the Revised Statutes. No public school building and no  
32 building used as a public school, as that term is defined under  
33 N.J.S.18A:1-1, shall, however, be designated as an early voting  
34 location. The locations shall be designated at the same time as all  
35 other polling places are designated by the board of elections. In the  
36 event of a tie vote among members of the county board with respect  
37 to the selection of sites for early voting, the county clerk shall cast  
38 the deciding vote. Once early voting locations are designated in  
39 each county, county boards of election shall evaluate and, if deemed  
40 necessary, revise these locations in order to accommodate  
41 significant changes in the number of registered voters within each  
42 county, reflect the population distribution and density within each  
43 county, or because of similar circumstances. The Secretary of State  
44 may develop the criteria to be used by county boards of election to  
45 revise the location of early voting sites and shall prescribe how  
46 often such revision shall take place.

47       A voter shall be permitted to vote at any early voting site in the  
48 voter's county.

1 (2) Whenever a municipality that conducts regular municipal  
2 elections in May chooses to participate in early voting for the  
3 regular municipal election, the county board of elections shall  
4 designate at least one public location, but not more than three public  
5 locations, within the municipality as the site or sites for early voting  
6 to occur. This provision shall not be interpreted to prevent a county  
7 board of elections, at its discretion, from establishing additional  
8 locations in excess of the three location limit set forth herein;  
9 provided, however, that the State shall be required to provide  
10 reimbursement for the costs of locations up to and including the  
11 three location limit established herein, and shall not be required to  
12 provide reimbursement for additional locations beyond that limit  
13 under section 6 of this act, P.L.2021, c.40 (C.19:15A-6). Whenever  
14 possible, each such location shall be geographically located in the  
15 part of the municipality that features the greatest concentration of  
16 population, according to the most recent federal decennial census of  
17 the United States. All early voting locations shall be public  
18 facilities, such as municipal courthouses and the offices of the  
19 municipal clerk, or places of public accommodation as provided  
20 under Title 10 of the Revised Statutes. No public school building  
21 and no building used as a public school, as that term is defined  
22 under N.J.S.18A:1-1, shall be designated as an early voting  
23 location. The locations shall be designated at the same time as all  
24 other polling places are designated by the board of elections. In the  
25 event of a tie vote among members of the county board with respect  
26 to the selection of sites for early voting, the municipal clerk shall  
27 cast the deciding vote. Once early voting locations are designated  
28 in each municipality, county boards of election shall evaluate and, if  
29 deemed necessary, revise these locations in order to accommodate  
30 significant changes in the number of registered voters within each  
31 municipality, reflect the population distribution and density within  
32 each municipality, or because of similar circumstances. The  
33 Secretary of State may develop the criteria to be used by county  
34 boards of election to revise the location of early voting sites and  
35 shall prescribe how often such revision shall take place.

36 A voter shall be permitted to vote at any early voting site in the  
37 voter's municipality.

38 c. Each early voting site in a county or municipality shall be  
39 open for early voting on Monday through Saturday from at least 10  
40 AM to 8 PM, and on Sunday from at least 10 AM to 6 PM. Any  
41 voter who is on line at the time scheduled for the closing of an early  
42 voting site shall be permitted to vote.

43 d. The election officers responsible for conducting early voting  
44 shall be the same as those responsible for conducting a primary and  
45 a general election, as appropriate, pursuant to this Title. The  
46 number of such officers and their hours of service shall be as  
47 determined by each county board of elections. The compensation  
48 for such officers shall be the same as provided to district board of

1 election members serving at a school election pursuant to  
2 R.S.19:45-6, or that required pursuant to Article I, paragraph 23 of  
3 the New Jersey Constitution, whichever is greater.

4 e. The restrictions governing the conduct of voters at a polling  
5 place on the days that early voting occurs, the procedures governing  
6 who is permitted in a polling place on such occasions and the  
7 prohibition on electioneering within 100 feet of a polling place  
8 during an election, or within 200 feet of a polling place during an  
9 election if the electioneering prohibition is extended at the  
10 discretion of a county board of elections, shall be as provided in  
11 chapters 15, 34, 50 and 52 of Title 19 of the Revised Statutes and  
12 every other applicable section of this Title.

13 f. In real time using the electronic poll books each day during  
14 the early voting period, and prior to the start of each regularly  
15 scheduled primary and general election, and regular municipal  
16 election in each non-partisan municipality choosing to participate in  
17 early voting, each county board shall make such changes as may be  
18 necessary to the voter's record in the Statewide voter registration  
19 system to indicate that a voter has voted in that election using the  
20 early voting procedure.

21 g. (1) Each county board shall be responsible for forming and  
22 executing a written plan to ensure, to the greatest extent possible,  
23 the integrity of the voting process and the security of ballots used  
24 during the early voting period, including the security of voting  
25 machines, voted ballots, and election records. The plan shall be  
26 based on guidelines established by the Secretary of State and shall  
27 be submitted thereto no later than December 15 of each year. The  
28 Secretary of State shall review and, if deemed necessary thereby,  
29 require changes to a plan no later than February 1 of each year.  
30 Each plan shall specify a chain of custody and security plan for the  
31 voting machines, and a chain of custody for the voted ballots and  
32 election records and materials, and shall require, among other  
33 specifications deemed necessary by the Secretary of State and  
34 county boards of election, that all voted ballots shall be transferred  
35 at the end of each early voting day to county boards of election for  
36 safekeeping. After the voted ballots are transferred to the county  
37 board of elections at the end of each early voting day, a county  
38 board may elect to impound those voted ballots on a secure server,  
39 or by any other means deemed appropriate by the Secretary of State.  
40 The voted ballots shall not be canvassed until the closing of the  
41 polls on election day as required pursuant to section 4 of this act,  
42 P.L.2021, c.40 (C.19:15A-4). The results of the voted ballots cast  
43 during early voting shall remain confidential and shall be disclosed  
44 only in accordance with the provisions of Title 19 of the Revised  
45 Statutes, regulations, and guidelines concerning the disclosure of  
46 election results, and a violation shall be subject to the penalties  
47 established by law.

1 (2) Notwithstanding the provisions of this subsection, in the  
2 year in which P.L.2021, c.40 (C.19:15A-1 et al.) becomes law, each  
3 county board shall submit its plan to the Secretary of State within  
4 30 days following the effective date of this act and the Secretary of  
5 State shall review it and, if deemed necessary thereby, require  
6 changes in the plan within 45 days following the effective date of  
7 this act.

8 h. Each county board shall make certain that each polling place  
9 used for early voting shall be accessible to individuals with  
10 disabilities and the elderly, in compliance with the "Americans with  
11 Disabilities Act of 1990" (42 U.S.C. s.12101 et seq.), and that each  
12 polling place provides such voters, including the blind and visually  
13 impaired, the same opportunity for access and participation,  
14 including privacy and independence, as other voters in compliance  
15 with the "Help America Vote Act of 2002" (42 U.S.C. s.15481).

16 i. The Secretary of State shall establish a printing on demand  
17 ballot and elections system. At a minimum, the system shall be  
18 compatible with the Statewide voter registration system established  
19 pursuant to section 1 of P.L.2005, c.145 (C.19:31-31) and any  
20 electronic poll books provided by section 1 of P.L.2019, c.80  
21 (C.19:31-35). Each polling place used for early voting shall have a  
22 computer, tablet, or other electronic device to print provisional  
23 ballots for voters required to vote by provisional ballot in  
24 accordance with the provisions of Title 19 of the Revised Statutes  
25 or due to an equipment malfunction as further provided under  
26 section 3 of P.L.2019, c.80 (C.19:31-37), or any other election  
27 related material, if needed. A computer, tablet, or other electronic  
28 device and the printer used to print election materials at a polling  
29 place shall not be used unless it has been certified by the Secretary  
30 of State. The Secretary of State shall adopt and publish standards  
31 and regulations governing the certification and use of computer,  
32 tablets, or other electronic devices and printers to print election  
33 materials at each polling place used for early voting. The Secretary  
34 of State shall not certify a computer, tablet, or other electronic  
35 device or printer unless it is in compliance with the secretary's  
36 standards.

37 j. Each polling place used for early voting shall also have such  
38 appropriate supplies, ballots and other materials deemed necessary  
39 by the Secretary of State or as is required currently for a polling  
40 place on the day of any election by Title 19 of the Revised Statutes.  
41 (cf: P.L.2021, c.40, s.1)

42  
43 2. R.S.19:34-6 is amended to read as follows:

44 19:34-6. a. If a person shall on election day tamper, deface or  
45 interfere with any polling booth or obstruct the entrance to any  
46 polling place, or obstruct or interfere with any voter, or loiter in or  
47 near the polling place, or, with the purpose to obstruct or interfere  
48 with any voter or to unduly delay other voters from voting, spend an

1 inordinate amount of time in the polling booth, or do any  
2 electioneering within any polling place or within one hundred feet  
3 thereof, or within 200 feet thereof if the electioneering prohibition  
4 is extended at the discretion of a county board of elections, he shall  
5 be guilty of a crime of the third degree.

6 b. This section shall not be construed to prohibit a minor from  
7 entering a polling place on the day of an election to vote in a  
8 simulated election at that polling place, or persons from supervising  
9 or working at a polling place in a simulated election in which  
10 minors vote, provided that the county board of elections has  
11 determined that the polling place can accommodate simulated  
12 election activities without interfering with the orderly conduct of  
13 the official voting process.

14 (cf: P.L.2005, c.154, s.26)

15

16 3. R.S.19:34-7 is amended to read as follows:

17 19:34-7. No person shall within the polling room mark his ballot  
18 in a place other than in the polling booth or show his ballot, nor  
19 shall anyone request such person to show his ballot during the  
20 preparation thereof, nor shall any other person inspect such ballot  
21 during the preparation thereof or after it is prepared for voting in  
22 such a way as to reveal the contents, nor shall any person within the  
23 polling place or within a hundred feet thereof, loiter, electioneer, or  
24 solicit any voter, or electioneer within 200 feet of the polling place  
25 if the electioneering prohibition is extended at the discretion of a  
26 county board of elections.

27 No voter, at any election where official ballots are used, shall  
28 knowingly vote or offer to vote any ballot except an official ballot  
29 as by this Title required.

30 No person shall on any pretext carry any official ballot from the  
31 polling room on any election day except such persons as may by  
32 this Title be authorized to do so.

33 Any person violating any of the provisions of this section shall  
34 be guilty of a crime of the fourth degree.

35 (cf: P.L.2005, c.154, s.27)

36

37 4. R.S.19:34-15 is amended to read as follows:

38 19:34-15. a. If a person shall distribute or display any circular  
39 or printed matter or offer any suggestion or solicit any support for  
40 any candidate, party or public question within the polling place or  
41 room or within a distance of 100 feet of the outside entrance to such  
42 polling place or room, or within 100 feet of a ballot drop box in use  
43 during the conduct of an election, the person shall be guilty of a  
44 disorderly persons offense.

45 b. Each county board of elections shall have the discretion to  
46 extend the prohibition against electioneering provided under  
47 subsection a. of this section to be within a distance of 200 feet of  
48 the outside entrance to a polling place or room, or of a ballot drop

1 box in use during the conduct of an election within the county.  
2 Each county board of elections shall provide a clear and  
3 conspicuous notice of the electioneering prohibition outside the  
4 polling place, room, or ballot drop box prior to placing the  
5 prohibition into effect, including the penalties for any violation of  
6 that prohibition. A person who violates an electioneering  
7 prohibition established by a county board of elections pursuant to  
8 this subsection shall be guilty of a disorderly persons offense.

9 (cf: P.L.2021, c.459, s.5)

10  
11 5. This act shall take effect immediately.

12  
13  
14 STATEMENT

15  
16 This bill permits county boards of elections to extend the  
17 distance within which electioneering is prohibited outside a polling  
18 place, room, or ballot drop box in use during the conduct of an  
19 election.

20 Under current law, electioneering is prohibited inside any polling  
21 place or room, and within a distance of 100 feet of the outside  
22 entrance to a polling place or room, or within 100 feet of a ballot  
23 drop box in use during the conduct of an election. This bill grants  
24 county boards of elections the discretion to extend the distance  
25 prohibiting electioneering to be within 200 feet of the outside  
26 entrance to any polling place or room, or of a ballot drop box in use  
27 during the conduct of an election within the county. The bill  
28 requires county boards of elections to place a clear and conspicuous  
29 notice of the prohibition outside the polling place or room or ballot  
30 drop box prior to placing the prohibition into effect, including the  
31 penalties for any violation of the prohibition. A person who violates  
32 an electioneering prohibition established by a county board of  
33 elections as provided under the bill will be guilty of a crime of the  
34 same degree as currently established for a violation of the 100 feet  
35 prohibition.

[First Reprint]

**ASSEMBLY, No. 5356**

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**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

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INTRODUCED FEBRUARY 25, 2025

**Sponsored by:**

**Assemblyman ROBERT J. KARABINCHAK**

**District 18 (Middlesex)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**SYNOPSIS**

Permits county boards of elections to extend distance within which electioneering is prohibited.

**CURRENT VERSION OF TEXT**

As reported by the Assembly State and Local Government Committee on March 20, 2025, with amendments.



**(Sponsorship Updated As Of: 5/15/2025)**

1 AN ACT concerning electioneering and amending various parts of  
2 the statutory law.

3

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

6

7 <sup>1</sup>[1. Section 1 of P.L.2021, c.40 (C.19:15A-1) is amended to  
8 read as follows:

9 1. a. In addition to all other forms of voting provided for by this  
10 Title, a registered voter shall be permitted to vote at a specially  
11 designated polling place before the day of certain primary and  
12 general elections in this State. This procedure shall be known as  
13 early voting. The early voting period shall:

14 (1) start on the 4th calendar day before a non-presidential  
15 primary election for a non-presidential general election and end on  
16 the second calendar day before that non-presidential primary  
17 election;

18 (2) start on the 6th calendar day before a presidential primary  
19 election for a presidential general election and end on the second  
20 calendar day before that presidential primary election; or

21 (3) start on the 10th calendar day before a general election and  
22 end on the second calendar day before that general election.

23 The voting process during the early voting period shall be  
24 conducted using electronic poll books and optical-scan voting  
25 machines that read hand-marked paper ballots or other voting  
26 machines that produce a voter-verifiable paper ballot. Any  
27 municipality conducting regular municipal elections in May  
28 pursuant to the provisions of the "Uniform Nonpartisan Elections  
29 Law," P.L.1981, c.379 (C.40:45-5 et seq.), may, by an ordinance  
30 adopted by its governing body, also conduct early voting for the  
31 regular municipal election, in accordance with the provisions of this  
32 act, P.L.2021, c.40 (C.19:15A-1 et al.). If adopted by a municipal  
33 governing body, the early voting period for a regular municipal  
34 election in May shall start on the 4th calendar day before the regular  
35 municipal election and end on the second calendar day before that  
36 regular municipal election. An early voting period shall only be  
37 permitted for a non-presidential or presidential primary election and  
38 a general election in this State and, if adopted by a municipal  
39 governing body, a regular municipal election conducted in May.  
40 Pursuant to the provisions of this act and Title 19 of the Revised  
41 Statutes and in accordance with procedures that may be established  
42 by the Secretary of State for verifying eligible voters, each county  
43 board of elections shall verify that a registered voter is qualified to  
44 vote in the election and shall prescribe the manner by which a  
45 registered voter may vote during such period.

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 ASL committee amendments adopted March 20, 2025.

b. (1) For the primary and the general election, each county board of elections shall designate at least three, but not more than five, public locations within each county as the sites for early voting to occur, except that the county board shall designate at least five, but not more than seven, public locations for early voting if the number of registered voters in the county is at least 150,000 but less than 300,000, and shall designate at least seven, but not more than 10, public locations for early voting if the number of registered voters in the county is 300,000 or more. This provision shall not be interpreted to prevent county boards of elections, at their discretion, from establishing additional locations in excess of the five, seven, or 10 location limits respectively set forth herein; provided, however, that the State shall be required to provide reimbursement for the costs of locations up to and including the five, seven, or 10 respective limits established herein, and shall not be required to provide reimbursement for additional locations beyond those limits under section 6 of this act, P.L.2021, c.40 (C.19:15A-6). The number of registered voters in each county shall be determined ahead of the selection of early voting sites pursuant to a uniform standard which shall be developed by the Secretary of State through the rulemaking process pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.). Whenever possible, early voting locations shall be geographically located so as to ensure both access in the part of the county that features the greatest concentration of population, according to the most recent federal decennial census of the United States, and access in various geographic areas of the county. All early voting locations shall be public facilities, such as county courthouses, public libraries and the offices of the municipal clerk, county clerk, and county board of elections, or places of public accommodation as provided under Title 10 of the Revised Statutes. No public school building and no building used as a public school, as that term is defined under N.J.S.18A:1-1, shall, however, be designated as an early voting location. The locations shall be designated at the same time as all other polling places are designated by the board of elections. In the event of a tie vote among members of the county board with respect to the selection of sites for early voting, the county clerk shall cast the deciding vote. Once early voting locations are designated in each county, county boards of election shall evaluate and, if deemed necessary, revise these locations in order to accommodate significant changes in the number of registered voters within each county, reflect the population distribution and density within each county, or because of similar circumstances. The Secretary of State may develop the criteria to be used by county boards of election to revise the location of early voting sites and shall prescribe how often such revision shall take place.

A voter shall be permitted to vote at any early voting site in the voter's county.

1       (2) Whenever a municipality that conducts regular municipal  
2 elections in May chooses to participate in early voting for the  
3 regular municipal election, the county board of elections shall  
4 designate at least one public location, but not more than three public  
5 locations, within the municipality as the site or sites for early voting  
6 to occur. This provision shall not be interpreted to prevent a county  
7 board of elections, at its discretion, from establishing additional  
8 locations in excess of the three location limit set forth herein;  
9 provided, however, that the State shall be required to provide  
10 reimbursement for the costs of locations up to and including the  
11 three location limit established herein, and shall not be required to  
12 provide reimbursement for additional locations beyond that limit  
13 under section 6 of this act, P.L.2021, c.40 (C.19:15A-6). Whenever  
14 possible, each such location shall be geographically located in the  
15 part of the municipality that features the greatest concentration of  
16 population, according to the most recent federal decennial census of  
17 the United States. All early voting locations shall be public  
18 facilities, such as municipal courthouses and the offices of the  
19 municipal clerk, or places of public accommodation as provided  
20 under Title 10 of the Revised Statutes. No public school building  
21 and no building used as a public school, as that term is defined  
22 under N.J.S.18A:1-1, shall be designated as an early voting  
23 location. The locations shall be designated at the same time as all  
24 other polling places are designated by the board of elections. In the  
25 event of a tie vote among members of the county board with respect  
26 to the selection of sites for early voting, the municipal clerk shall  
27 cast the deciding vote. Once early voting locations are designated  
28 in each municipality, county boards of election shall evaluate and, if  
29 deemed necessary, revise these locations in order to accommodate  
30 significant changes in the number of registered voters within each  
31 municipality, reflect the population distribution and density within  
32 each municipality, or because of similar circumstances. The  
33 Secretary of State may develop the criteria to be used by county  
34 boards of election to revise the location of early voting sites and  
35 shall prescribe how often such revision shall take place.

36       A voter shall be permitted to vote at any early voting site in the  
37 voter's municipality.

38       c. Each early voting site in a county or municipality shall be  
39 open for early voting on Monday through Saturday from at least 10  
40 AM to 8 PM, and on Sunday from at least 10 AM to 6 PM. Any  
41 voter who is on line at the time scheduled for the closing of an early  
42 voting site shall be permitted to vote.

43       d. The election officers responsible for conducting early voting  
44 shall be the same as those responsible for conducting a primary and  
45 a general election, as appropriate, pursuant to this Title. The  
46 number of such officers and their hours of service shall be as  
47 determined by each county board of elections. The compensation  
48 for such officers shall be the same as provided to district board of

1 election members serving at a school election pursuant to  
2 R.S.19:45-6, or that required pursuant to Article I, paragraph 23 of  
3 the New Jersey Constitution, whichever is greater.

4 e. The restrictions governing the conduct of voters at a polling  
5 place on the days that early voting occurs, the procedures governing  
6 who is permitted in a polling place on such occasions and the  
7 prohibition on electioneering within 100 feet of a polling place  
8 during an election, or within 200 feet of a polling place during an  
9 election if the electioneering prohibition is extended at the  
10 discretion of a county board of elections, shall be as provided in  
11 chapters 15, 34, 50 and 52 of Title 19 of the Revised Statutes and  
12 every other applicable section of this Title.

13 f. In real time using the electronic poll books each day during  
14 the early voting period, and prior to the start of each regularly  
15 scheduled primary and general election, and regular municipal  
16 election in each non-partisan municipality choosing to participate in  
17 early voting, each county board shall make such changes as may be  
18 necessary to the voter's record in the Statewide voter registration  
19 system to indicate that a voter has voted in that election using the  
20 early voting procedure.

21 g. (1) Each county board shall be responsible for forming and  
22 executing a written plan to ensure, to the greatest extent possible,  
23 the integrity of the voting process and the security of ballots used  
24 during the early voting period, including the security of voting  
25 machines, voted ballots, and election records. The plan shall be  
26 based on guidelines established by the Secretary of State and shall  
27 be submitted thereto no later than December 15 of each year. The  
28 Secretary of State shall review and, if deemed necessary thereby,  
29 require changes to a plan no later than February 1 of each year.  
30 Each plan shall specify a chain of custody and security plan for the  
31 voting machines, and a chain of custody for the voted ballots and  
32 election records and materials, and shall require, among other  
33 specifications deemed necessary by the Secretary of State and  
34 county boards of election, that all voted ballots shall be transferred  
35 at the end of each early voting day to county boards of election for  
36 safekeeping. After the voted ballots are transferred to the county  
37 board of elections at the end of each early voting day, a county  
38 board may elect to impound those voted ballots on a secure server,  
39 or by any other means deemed appropriate by the Secretary of State.  
40 The voted ballots shall not be canvassed until the closing of the  
41 polls on election day as required pursuant to section 4 of this act,  
42 P.L.2021, c.40 (C.19:15A-4). The results of the voted ballots cast  
43 during early voting shall remain confidential and shall be disclosed  
44 only in accordance with the provisions of Title 19 of the Revised  
45 Statutes, regulations, and guidelines concerning the disclosure of  
46 election results, and a violation shall be subject to the penalties  
47 established by law.

1 (2) Notwithstanding the provisions of this subsection, in the  
2 year in which P.L.2021, c.40 (C.19:15A-1 et al.) becomes law, each  
3 county board shall submit its plan to the Secretary of State within  
4 30 days following the effective date of this act and the Secretary of  
5 State shall review it and, if deemed necessary thereby, require  
6 changes in the plan within 45 days following the effective date of  
7 this act.

8 h. Each county board shall make certain that each polling place  
9 used for early voting shall be accessible to individuals with  
10 disabilities and the elderly, in compliance with the "Americans with  
11 Disabilities Act of 1990" (42 U.S.C. s.12101 et seq.), and that each  
12 polling place provides such voters, including the blind and visually  
13 impaired, the same opportunity for access and participation,  
14 including privacy and independence, as other voters in compliance  
15 with the "Help America Vote Act of 2002" (42 U.S.C. s.15481).

16 i. The Secretary of State shall establish a printing on demand  
17 ballot and elections system. At a minimum, the system shall be  
18 compatible with the Statewide voter registration system established  
19 pursuant to section 1 of P.L.2005, c.145 (C.19:31-31) and any  
20 electronic poll books provided by section 1 of P.L.2019, c.80  
21 (C.19:31-35). Each polling place used for early voting shall have a  
22 computer, tablet, or other electronic device to print provisional  
23 ballots for voters required to vote by provisional ballot in  
24 accordance with the provisions of Title 19 of the Revised Statutes  
25 or due to an equipment malfunction as further provided under  
26 section 3 of P.L.2019, c.80 (C.19:31-37), or any other election  
27 related material, if needed. A computer, tablet, or other electronic  
28 device and the printer used to print election materials at a polling  
29 place shall not be used unless it has been certified by the Secretary  
30 of State. The Secretary of State shall adopt and publish standards  
31 and regulations governing the certification and use of computer,  
32 tablets, or other electronic devices and printers to print election  
33 materials at each polling place used for early voting. The Secretary  
34 of State shall not certify a computer, tablet, or other electronic  
35 device or printer unless it is in compliance with the secretary's  
36 standards.

37 j. Each polling place used for early voting shall also have such  
38 appropriate supplies, ballots and other materials deemed necessary  
39 by the Secretary of State or as is required currently for a polling  
40 place on the day of any election by Title 19 of the Revised Statutes.  
41 (cf: P.L.2021, c.40, s.1)<sup>1</sup>

42  
43 <sup>1</sup>1. Section 1 of P.L.2021, c.40 (C.19:15A-1) is amended to read  
44 as follows:

45 1. a. In addition to all other forms of voting provided for by this  
46 Title, a registered voter shall be permitted to vote at a specially  
47 designated polling place before the day of certain primary and general

1 elections in this State. This procedure shall be known as early voting.  
2 The early voting period shall:

3 (1) start on the 7th calendar day before a non-presidential primary  
4 election for a non-presidential general election and end on the second  
5 calendar day before that non-presidential primary election;

6 (2) start on the 7th calendar day before a presidential primary  
7 election for a presidential general election and end on the second  
8 calendar day before that presidential primary election; or

9 (3) start on the 10th calendar day before a general election and end  
10 on the second calendar day before that general election.

11 The voting process during the early voting period shall be  
12 conducted using electronic poll books and optical-scan voting  
13 machines that read hand-marked paper ballots or other voting  
14 machines that produce a voter-verifiable paper ballot. Any  
15 municipality conducting regular municipal elections in May pursuant  
16 to the provisions of the "Uniform Nonpartisan Elections Law,"  
17 P.L.1981, c.379 (C.40:45-5 et seq.), may, by an ordinance adopted by  
18 its governing body, also conduct early voting for the regular municipal  
19 election, in accordance with the provisions of this act, P.L.2021, c.40  
20 (C.19:15A-1 et al.). If adopted by a municipal governing body, the  
21 early voting period for a regular municipal election in May shall start  
22 on the 4th calendar day before the regular municipal election and end  
23 on the second calendar day before that regular municipal election. An  
24 early voting period shall only be permitted for a non-presidential or  
25 presidential primary election and a general election in this State and, if  
26 adopted by a municipal governing body, a regular municipal election  
27 conducted in May. Pursuant to the provisions of this act and Title 19 of  
28 the Revised Statutes and in accordance with procedures that may be  
29 established by the Secretary of State for verifying eligible voters, each  
30 county board of elections shall verify that a registered voter is  
31 qualified to vote in the election and shall prescribe the manner by  
32 which a registered voter may vote during such period.

33 b. (1) For the primary and the general election, each county board  
34 of elections shall designate at least three, but not more than five, public  
35 locations within each county as the sites for early voting to occur,  
36 except that the county board shall designate at least five, but not more  
37 than seven, public locations for early voting if the number of registered  
38 voters in the county is at least 150,000 but less than 300,000, and shall  
39 designate at least seven, but not more than 10, public locations for  
40 early voting if the number of registered voters in the county is 300,000  
41 or more. This provision shall not be interpreted to prevent county  
42 boards of elections, at their discretion, from establishing additional  
43 locations in excess of the five, seven, or 10 location limits respectively  
44 set forth herein; provided, however, that the State shall be required to  
45 provide reimbursement for the costs of locations up to and including  
46 the five, seven, or 10 respective limits established herein, and shall not  
47 be required to provide reimbursement for additional locations beyond  
48 those limits under section 6 of this act, P.L.2021, c.40 (C.19:15A-6).

1 The number of registered voters in each county shall be determined  
2 ahead of the selection of early voting sites pursuant to a uniform  
3 standard which shall be developed by the Secretary of State through  
4 the rulemaking process pursuant to the "Administrative Procedure  
5 Act," P.L.1968, c.410 (C.52:14B-1 et seq.). Whenever possible, early  
6 voting locations shall be geographically located so as to ensure both  
7 access in the part of the county that features the greatest concentration  
8 of population, according to the most recent federal decennial census of  
9 the United States, and access in various geographic areas of the  
10 county. All early voting locations shall be public facilities, such as  
11 county courthouses, public libraries and the offices of the municipal  
12 clerk, county clerk, and county board of elections, or places of public  
13 accommodation as provided under Title 10 of the Revised Statutes. No  
14 public school building and no building used as a public school, as that  
15 term is defined under N.J.S.18A:1-1, shall, however, be designated as  
16 an early voting location. The locations shall be designated at the same  
17 time as all other polling places are designated by the board of  
18 elections. In the event of a tie vote among members of the county  
19 board with respect to the selection of sites for early voting, the county  
20 clerk shall cast the deciding vote. Once early voting locations are  
21 designated in each county, county boards of election shall evaluate  
22 and, if deemed necessary, revise these locations in order to  
23 accommodate significant changes in the number of registered voters  
24 within each county, reflect the population distribution and density  
25 within each county, or because of similar circumstances. The  
26 Secretary of State may develop the criteria to be used by county boards  
27 of election to revise the location of early voting sites and shall  
28 prescribe how often such revision shall take place.

29 A voter shall be permitted to vote at any early voting site in the  
30 voter's county.

31 (2) Whenever a municipality that conducts regular municipal  
32 elections in May chooses to participate in early voting for the regular  
33 municipal election, the county board of elections shall designate at  
34 least one public location, but not more than three public locations,  
35 within the municipality as the site or sites for early voting to occur.  
36 This provision shall not be interpreted to prevent a county board of  
37 elections, at its discretion, from establishing additional locations in  
38 excess of the three location limit set forth herein; provided, however,  
39 that the State shall be required to provide reimbursement for the costs  
40 of locations up to and including the three location limit established  
41 herein, and shall not be required to provide reimbursement for  
42 additional locations beyond that limit under section 6 of this act,  
43 P.L.2021, c.40 (C.19:15A-6). Whenever possible, each such location  
44 shall be geographically located in the part of the municipality that  
45 features the greatest concentration of population, according to the most  
46 recent federal decennial census of the United States. All early voting  
47 locations shall be public facilities, such as municipal courthouses and  
48 the offices of the municipal clerk, or places of public accommodation

1 as provided under Title 10 of the Revised Statutes. No public school  
2 building and no building used as a public school, as that term is  
3 defined under N.J.S.18A:1-1, shall be designated as an early voting  
4 location. The locations shall be designated at the same time as all  
5 other polling places are designated by the board of elections. In the  
6 event of a tie vote among members of the county board with respect to  
7 the selection of sites for early voting, the municipal clerk shall cast the  
8 deciding vote. Once early voting locations are designated in each  
9 municipality, county boards of election shall evaluate and, if deemed  
10 necessary, revise these locations in order to accommodate significant  
11 changes in the number of registered voters within each municipality,  
12 reflect the population distribution and density within each  
13 municipality, or because of similar circumstances. The Secretary of  
14 State may develop the criteria to be used by county boards of election  
15 to revise the location of early voting sites and shall prescribe how  
16 often such revision shall take place.

17 A voter shall be permitted to vote at any early voting site in the  
18 voter's municipality.

19 c. Each early voting site in a county or municipality shall be open  
20 for early voting on Monday through Saturday from at least 10 AM to 8  
21 PM, and on Sunday from at least 10 AM to 6 PM. Any voter who is  
22 on line at the time scheduled for the closing of an early voting site  
23 shall be permitted to vote.

24 d. The election officers responsible for conducting early voting  
25 shall be the same as those responsible for conducting a primary and a  
26 general election, as appropriate, pursuant to this Title. The number of  
27 such officers and their hours of service shall be as determined by each  
28 county board of elections. The compensation for such officers shall be  
29 the same as provided to district board of election members serving at a  
30 school election pursuant to R.S.19:45-6, or that required pursuant to  
31 Article I, paragraph 23 of the New Jersey Constitution, whichever is  
32 greater.

33 e. The restrictions governing the conduct of voters at a polling  
34 place on the days that early voting occurs, the procedures governing  
35 who is permitted in a polling place on such occasions and the  
36 prohibition on electioneering within 100 feet of a polling place\_during  
37 an election, or within 200 feet of a polling place during an election if  
38 the electioneering prohibition is extended at the discretion of a county  
39 board of elections, shall be as provided in chapters 15, 34, 50 and 52  
40 of Title 19 of the Revised Statutes and every other applicable section  
41 of this Title.

42 f. In real time using the electronic poll books each day during the  
43 early voting period, and prior to the start of each regularly scheduled  
44 primary and general election, and regular municipal election in each  
45 non-partisan municipality choosing to participate in early voting, each  
46 county board shall make such changes as may be necessary to the  
47 voter's record in the Statewide voter registration system to indicate that  
48 a voter has voted in that election using the early voting procedure.

1       g. (1) Each county board shall be responsible for forming and  
2       executing a written plan to ensure, to the greatest extent possible, the  
3       integrity of the voting process and the security of ballots used during  
4       the early voting period, including the security of voting machines,  
5       voted ballots, and election records. The plan shall be based on  
6       guidelines established by the Secretary of State and shall be submitted  
7       thereto no later than December 15 of each year. The Secretary of State  
8       shall review and, if deemed necessary thereby, require changes to a  
9       plan no later than February 1 of each year. Each plan shall specify a  
10      chain of custody and security plan for the voting machines, and a chain  
11      of custody for the voted ballots and election records and materials, and  
12      shall require, among other specifications deemed necessary by the  
13      Secretary of State and county boards of election, that all voted ballots  
14      shall be transferred at the end of each early voting day to county  
15      boards of election for safekeeping. After the voted ballots are  
16      transferred to the county board of elections at the end of each early  
17      voting day, a county board may elect to impound those voted ballots  
18      on a secure server, or by any other means deemed appropriate by the  
19      Secretary of State. The voted ballots shall not be canvassed until the  
20      closing of the polls on election day as required pursuant to section 4 of  
21      this act, P.L.2021, c.40 (C.19:15A-4). The results of the voted ballots  
22      cast during early voting shall remain confidential and shall be  
23      disclosed only in accordance with the provisions of Title 19 of the  
24      Revised Statutes, regulations, and guidelines concerning the disclosure  
25      of election results, and a violation shall be subject to the penalties  
26      established by law.

27      (2) Notwithstanding the provisions of this subsection, in the year  
28      in which P.L.2021, c.40 (C.19:15A-1 et al.) becomes law, each county  
29      board shall submit its plan to the Secretary of State within 30 days  
30      following the effective date of this act and the Secretary of State shall  
31      review it and, if deemed necessary thereby, require changes in the plan  
32      within 45 days following the effective date of this act.

33      h. Each county board shall make certain that each polling place  
34      used for early voting shall be accessible to individuals with disabilities  
35      and the elderly, in compliance with the "Americans with Disabilities  
36      Act of 1990" (42 U.S.C. s.12101 et seq.), and that each polling place  
37      provides such voters, including the blind and visually impaired, the  
38      same opportunity for access and participation, including privacy and  
39      independence, as other voters in compliance with the "Help America  
40      Vote Act of 2002" (42 U.S.C. s.15481).

41      i. The Secretary of State shall establish a printing on demand  
42      ballot and elections system. At a minimum, the system shall be  
43      compatible with the Statewide voter registration system established  
44      pursuant to section 1 of P.L.2005, c.145 (C.19:31-31) and any  
45      electronic poll books provided by section 1 of P.L.2019, c.80  
46      (C.19:31-35). Each polling place used for early voting shall have a  
47      computer, tablet, or other electronic device to print provisional ballots  
48      for voters required to vote by provisional ballot in accordance with the

1 provisions of Title 19 of the Revised Statutes or due to an equipment  
2 malfunction as further provided under section 3 of P.L.2019, c.80  
3 (C.19:31-37), or any other election related material, if needed. A  
4 computer, tablet, or other electronic device and the printer used to  
5 print election materials at a polling place shall not be used unless it has  
6 been certified by the Secretary of State. The Secretary of State shall  
7 adopt and publish standards and regulations governing the certification  
8 and use of computer, tablets, or other electronic devices and printers to  
9 print election materials at each polling place used for early voting.  
10 The Secretary of State shall not certify a computer, tablet, or other  
11 electronic device or printer unless it is in compliance with the  
12 secretary's standards.

13 j. Each polling place used for early voting shall also have such  
14 appropriate supplies, ballots and other materials deemed necessary by  
15 the Secretary of State or as is required currently for a polling place on  
16 the day of any election by Title 19 of the Revised Statutes.<sup>1</sup>  
17 (cf: P.L.2025, c.23, s.2)

18

19 2. R.S.19:34-6 is amended to read as follows:

20 19:34-6. a. If a person shall on election day tamper, deface or  
21 interfere with any polling booth or obstruct the entrance to any  
22 polling place, or obstruct or interfere with any voter, or loiter in or  
23 near the polling place, or, with the purpose to obstruct or interfere  
24 with any voter or to unduly delay other voters from voting, spend an  
25 inordinate amount of time in the polling booth, or do any  
26 electioneering within any polling place or within one hundred feet  
27 thereof, or within 200 feet thereof if the electioneering prohibition  
28 is extended at the discretion of a county board of elections, he shall  
29 be guilty of a crime of the third degree.

30 b. This section shall not be construed to prohibit a minor from  
31 entering a polling place on the day of an election to vote in a  
32 simulated election at that polling place, or persons from supervising  
33 or working at a polling place in a simulated election in which  
34 minors vote, provided that the county board of elections has  
35 determined that the polling place can accommodate simulated  
36 election activities without interfering with the orderly conduct of  
37 the official voting process.

38 (cf: P.L.2005, c.154, s.26)

39

40 3. R.S.19:34-7 is amended to read as follows:

41 19:34-7. No person shall within the polling room mark his ballot  
42 in a place other than in the polling booth or show his ballot, nor  
43 shall anyone request such person to show his ballot during the  
44 preparation thereof, nor shall any other person inspect such ballot  
45 during the preparation thereof or after it is prepared for voting in  
46 such a way as to reveal the contents, nor shall any person within the  
47 polling place or within a hundred feet thereof, loiter, electioneer, or  
48 solicit any voter, or electioneer within 200 feet of the polling place

1 if the electioneering prohibition is extended at the discretion of a  
 2 county board of elections.

3 No voter, at any election where official ballots are used, shall  
 4 knowingly vote or offer to vote any ballot except an official ballot  
 5 as by this Title required.

6 No person shall on any pretext carry any official ballot from the  
 7 polling room on any election day except such persons as may by  
 8 this Title be authorized to do so.

9 Any person violating any of the provisions of this section shall  
 10 be guilty of a crime of the fourth degree.

11 (cf: P.L.2005, c.154, s.27)

12

13 4. R.S.19:34-15 is amended to read as follows:

14 19:34-15. a. If a person shall distribute or display any circular  
 15 or printed matter or offer any suggestion or solicit any support for  
 16 any candidate, party or public question within the polling place or  
 17 room or within a distance of 100 feet of the outside entrance to such  
 18 polling place or room, or within 100 feet of a ballot drop box in use  
 19 during the conduct of an election, the person shall be guilty of a  
 20 disorderly persons offense.

21 b. Each county board of elections shall have the discretion to  
 22 extend the prohibition against electioneering provided under  
 23 subsection a. of this section to be within a distance of 200 feet of  
 24 the outside entrance to a polling place or room, or of a ballot drop  
 25 box in use during the conduct of an election within the county.  
 26 Each county board of elections shall provide a clear and  
 27 conspicuous notice of the electioneering prohibition outside the  
 28 polling place, room, or ballot drop box prior to placing the  
 29 prohibition into effect, including the penalties for any violation of  
 30 that prohibition. A person who violates an electioneering  
 31 prohibition established by a county board of elections pursuant to  
 32 this subsection shall be guilty of a disorderly persons offense.

33 (cf: P.L.2021, c.459, s.5)

34

35 5. This act shall take effect immediately.

ASSEMBLY STATE AND LOCAL GOVERNMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 5356**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MARCH 20, 2025

The Assembly State and Local Government Committee reports favorably and with committee amendments Assembly Bill No. 5356.

As amended by the committee, this bill permits county boards of elections to extend the distance within which electioneering is prohibited outside a polling place, room, or ballot drop box in use during the conduct of an election.

Under current law, electioneering is prohibited inside any polling place or room, and within a distance of 100 feet of the outside entrance to a polling place or room, or within 100 feet of a ballot drop box in use during the conduct of an election. This bill grants county boards of elections the discretion to extend the distance prohibiting electioneering to be within 200 feet of the outside entrance to any polling place or room, or of a ballot drop box in use during the conduct of an election within the county. The bill requires county boards of elections to place a clear and conspicuous notice of the prohibition outside the polling place or room or ballot drop box prior to placing the prohibition into effect, including the penalties for any violation of the prohibition. A person who violates an electioneering prohibition established by a county board of elections as provided under the bill will be guilty of a crime of the same degree as currently established for a violation of the 100 feet prohibition.

COMMITTEE AMENDMENTS:

The committee amendments make technical changes to the bill to update a section of the bill to its current law version.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

**ASSEMBLY, No. 5356**

# **STATE OF NEW JERSEY**

DATED: MAY 15, 2025

The Assembly Appropriations Committee reports favorably Assembly Bill No. 5356 (1R).

As reported, this bill permits county boards of elections to extend the distance within which electioneering is prohibited outside a polling place, room, or ballot drop box in use during the conduct of an election.

Under current law, electioneering is prohibited inside any polling place or room, and within a distance of 100 feet of the outside entrance to a polling place or room, or within 100 feet of a ballot drop box in use during the conduct of an election. This bill grants county boards of elections the discretion to extend the distance prohibiting electioneering to be within 200 feet of the outside entrance to any polling place or room, or of a ballot drop box in use during the conduct of an election within the county. The bill requires county boards of elections to place a clear and conspicuous notice of the prohibition outside the polling place or room or ballot drop box prior to placing the prohibition into effect, including the penalties for any violation of the prohibition. A person who violates an electioneering prohibition established by a county board of elections as provided under the bill will be guilty of a crime of the same degree as currently established for a violation of the 100 feet prohibition.

As reported by the committee, Assembly Bill No. 5356 (1R) is identical to Senate Bill No. 3850, which was amended and reported by the committee on this date.

### FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

# Governor Murphy Takes Action on Legislation

Posted on - 07/8/2025

**TRENTON** – Today, Governor Murphy signed the following bills into law:

**S-1400/A-5448 (Singleton, Zwicker/Park, Freiman)** - “Uniform Partition of Heirs Property Act”; provides alternative process for handling partition actions filed in court concerning real property with multiple owners, at least one of whom had acquired title from relative

**S-1439/A-3856 (Singleton, A.M. Bucco/Sampson, McClellan, Miller)** - Requires health benefits coverage for additional orthotic and prosthetic appliances under certain circumstances; requires coverage for orthotic and prosthetic appliances obtained through podiatrists

**S-2886/A-4015 (Greenstein, Turner/McCoy)** - Requires pharmacies to provide certain information regarding insulin manufacturer assistance programs

**S-3787/A-5613 (Scutari, Ruiz/Pintor Marin, Morales)** - Requires municipal tax collectors who obtain payments in lieu of taxes under “Long Term Tax Exemption Law” to transmit county portion directly to county

**S-3850/A-5356 (Smith, Scutari/Karabinchak, Reynolds-Jackson)** - Permits county boards of elections to extend distance within which electioneering is prohibited

**S-3928/A-5322 (Ruiz, Scutari/Greenwald, Sampson)** - Limits general application of certain consumer contracts

**S-3961/A-5263 (Ruiz, Scutari/Haider, Morales, Karabinchak)** - Requires public and certain nonpublic schools to offer no-fee option to parents for making school lunch and other payments; requires payment processing platforms used by certain schools to provide users with information on user fees

**S-4162/A-5469 (Turner, Ruiz/Reynolds-Jackson, Carter, Morales)** - Limits use or disclosure of certain education records

**A-4113/S-2155 (Carter, Atkins/Cryan, McKeon)** - Prohibits sports wagering partnerships at public institutions of higher education

**A-5141/S-3813 (Peterpaul, Calabrese, Donlon/Gopal, O’Scanlon)** - Establishes historic distillery license; allows consumption of licensee’s products on and off licensed premises under certain circumstances

**A-5466/S-4318 (Bailey, Freiman, Reynolds-Jackson/Burzichelli, Greenstein)** - Requires BPU to study effects of data centers on electricity costs

**A-5736/S-4532 (Bailey, Simmons, Miller/Burzichelli, McKnight)** - Updates certain notification requirements in "Energy Bill Watch" program