

1988-2

**LEGISLATIVE HISTORY CHECKLIST**  
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**NJSA:** 19:8-2

(Polling places in  
public buildings)

**LAWS OF:** 1989

**CHAPTER:** 292

**Bill No:** S2473

**Sponsor(s):** Laskin

**Date Introduced:** May 2, 1988

**Committee: Assembly:** State Government

**Senate:** State Government

**Amended during passage:** Yes      Amendments during passage  
denoted by asterisks.

**Date of Passage: Assembly:** November 27, 1989    Re-enacted 1-8-90

**Senate:** February 27, 1989    Re-enacted 1-8-90

**Date of Approval:** January 12, 1990

**Following statements are attached if available:**

**Sponsor statement:** Yes      (Below)

**Committee Statement: Assembly:** Yes

**Senate:** Yes

**Fiscal Note:** No

**Veto Message:** Yes

**Message on signing:** No

**Following were printed:**

**Reports:** No

**Hearings:** No

(over)

**Sponsor's statement:**

This bill prohibits any entity that receives funds from the State or any political subdivision thereof from declining a request by a county board of elections to utilize that entity's buildings whether owned or leased by that entity, for purposes of holding an election.

**KBG/SLJ**

[FIRST REPRINT]  
SENATE, No. 2473

STATE OF NEW JERSEY

INTRODUCED MAY 2, 1988

By Senator LASKIN

1 AN ACT concerning polling places and amending R.S.19:8-2.

2

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

5 1. R.S.19:8-2 is amended to read as follows:

6 19:8-2. The clerk of every municipality, on or before April 1  
7 shall certify to the county board of every county wherein such  
8 municipality is located a suggested list of places in the  
9 municipality suitable for polling places. The county board shall  
10 select the polling places for the election districts in the  
11 municipalities of the county for all elections in the municipalities  
12 thereof, including all commission government elections in the  
13 county. The county boards shall not be obliged to select the  
14 polling places so suggested by the municipal clerks, but may  
15 choose others where they may deem it expedient. Preference in  
16 locations shall be given to schools and public buildings where  
17 space shall be made available by the authorities in charge, upon  
18 request, if same can be done without detrimental interruption of  
19 school or the usual public services thereof, and for which the  
20 authority in charge shall be reimbursed, by agreement, for  
21 expenses of light, janitorial and other attending services arising  
22 from such use. In no case shall <sup>1</sup>[an entity receiving funds from  
23 the State or a political subdivision thereof] the authorities in  
24 charge of a public school or other public building<sup>1</sup> deny the  
25 request of the county board for the use, as a polling place, of any  
26 building <sup>1</sup>[owned] they own<sup>1</sup> or <sup>1</sup>[leased by the entity] lease<sup>1</sup>.

27 Where the county board shall fail to agree as to the selection  
28 of the polling place or places for any election district, within 5  
29 days of an election, the county clerk shall select and designate  
30 the polling place or places in any such election district.

31 The county board may select a polling place other than a  
32 schoolhouse or public building outside of the district but such

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> Senate amendments adopted in accordance with Governor's  
recommendations January 8, 1990.

1 polling place shall not be located more than 1,000 feet distant  
2 from the boundary line of the district.

3 (cf: P.L.1965, c.4, s.7)

4 2. This act shall take effect immediately.

5

6

7

STATE GOVERNMENT

8

Elections

9

10 Prohibits authorities in charge of a public school or other public  
11 building from denying request of county board of election for use  
12 as a polling place of any building they own or lease.

1       **2. This act shall take effect immediately.**

3

**STATEMENT**

5

7       **This bill prohibits any entity that receives funds from the State**  
9       **or any political subdivision thereof from declining a request by a**  
11       **county board of elections to utilize that entity's building,**  
13       **whether owned or leased by that entity, for purposes of holding**  
15       **an election.**

11

13

**STATE GOVERNMENT**

**Elections**

15

17       **Prohibits entities which receive funds from the State or political**  
19       **subdivisions from refusing use of the building owned or leased by**  
21       **the entity upon request of election officials for elections.**

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 2473

STATE OF NEW JERSEY

DATED: MARCH 30, 1989

The Assembly State Government Committee reports favorably Senate Bill No. 2473.

This bill prohibits any entity receiving funds from the State or any political subdivision thereof from denying the request of the county board of elections for the use, as a polling place, of any building owned or leased by the entity.

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SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 2473

STATE OF NEW JERSEY

DATED: MAY 9, 1988

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The Senate State Government Committee reports favorably Senate, No. 2473.

This bill prohibits any entity receiving funds from the State or any political subdivision thereof from denying the request of the county board of elections for the use, as a polling place, of any building owned or leased by the entity.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

January 8, 1990

SENATE BILL NO. 2473

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning Senate Bill No. 2473 with my objections for reconsideration.

This bill attempts to address the increasing difficulty county boards of elections are having in finding polling places. It is usual that public schools and other public buildings are made available, but on occasion private buildings serve as polling places as well.

The bill allows county boards of elections to require any entity to serve as a polling place when that entity receives funds from the State or a political subdivision thereof. I am concerned that in attempting to address the problem county boards are experiencing in locating appropriate polling places, this bill sweeps too broadly. There should be no need to force private entities to provide space simply because they are in receipt of public monies for other purposes.

I believe that it is appropriate, however, for public schools and other public buildings to serve as polling places when the authorities having control over them have been asked to make them available by county boards of elections. I therefore suggest modifying the terms of this bill to apply exclusively to public facilities.

Therefore, I herewith return Senate Bill No. 2473 and recommend that it be amended as follows:

Page 1, Section 1, Line 22: Delete "an entity receiving funds from the"  
insert "the authorities in charge of a  
public school or other public building"

Page 1, Section 1, Line 23: Delete "State or a political subdivision  
thereof"



STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

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Page 1, Section 1, Line 24: Delete "owned" insert "they own"

Page 1, Section 1, Line 25: Delete "leased by the entity" insert  
"lease"

Respectfully,

/s/ Thomas H. Kean

GOVERNOR

[seal]

Attest:

/s/ Deborah T. Poritz

Chief Counsel