

CHAPTER 102

AN ACT concerning the conduct of the 2020 primary and general elections and the 2021 primary election, and making an appropriation.

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

1. The Legislature finds and declares that due to continued concerns surrounding the coronavirus disease 2019 (COVID-19) pandemic, local elections officials have reported a significant decrease in the number of individuals willing to serve as members of a district board of election, otherwise referred to as poll workers, resulting in an inability to meet the statutory requirements concerning the number of poll workers necessary in each election district. It is therefore necessary to waive certain eligibility requirements for district boards of election in order to ensure the security and continuity of the June 8, 2021 primary election scheduled to occur in June of 2021.

2. For the primary election to be held on June 8, 2021, the Tuesday next after the first Monday in June of 2021, the following shall apply:

a. The provisions in R.S.19:6-1 requiring that the district boards in each election district consist of four members, and in certain circumstances six members, is suspended. No less than two district board members shall be assigned to each polling place open on the day of the primary election.

b. Paragraph (1) of subsection a. of R.S.19:6-3 is suspended, except that in no case shall the members of a district board serving at any one polling place be comprised solely of members of one political party.

c. The provisions of R.S.19:6-2 shall be inapplicable to any member of the New Jersey National Guard activated to serve as a member of a district board. Any member of the New Jersey National Guard activated to serve as a member of a district board shall not be in uniform and shall be in civilian clothing.

d. The provisions of R.S.19:6-2 requiring that a member of a district board be a resident of the county in which that member will serve as such shall be suspended.

e. Notwithstanding the provisions of R.S.19:6-2 to the contrary, a United States citizen who is not a registered voter but who is otherwise qualified to serve as a district board member may do so. That person shall be treated as a person who is unaffiliated with any political party for the purposes of chapter 6 of Title 19 of the Revised Statutes.

f. The provisions of R.S.19:8-3 requiring a county board to demonstrate inconvenience to the voters in order to locate a polling place in a building other than a schoolhouse or public building shall be suspended.

g. The provisions of R.S.19:8-2 prohibiting a polling place other than a schoolhouse or public building from being located more than 1,000 feet distant from the boundary line of a district and the requirement that the Secretary of State approve the selection of a polling place more than 1,000 feet distant from the boundary line of the district if there is no suitable polling place accessible to individuals with disabilities and the elderly within the district or 1,000 feet distant from the boundary line of the district shall be suspended. This subsection shall not be construed to permit, for any election district, the selection of a polling place outside of the municipality in which the district is located.

h. A county board shall not be limited to utilizing only the polling places reported to the Secretary of State pursuant to section 4 of P.L.1991, c.429 (C.19:8-3.4). This subsection shall not be construed to modify any requirements concerning the accessibility of a polling

place in conformity with the federal “Americans with Disabilities Act of 1990” (42 U.S.C. s.12101 et seq.).

i. Each member of a district board serving on the day of the primary election shall receive, in addition to the amount payable under R.S.19:45-6, a supplemental payment of \$200 for a full day worked, or of \$100 for each full shift worked if such shift is established pursuant to section 1 of P.L.1991, c.102 (C.19:6-9.1); except that members of the National Guard who are serving as district board members pursuant to activation by the Governor shall be subject to reimbursement pursuant to a memorandum of understanding or other written agreement duly executed by the Secretary of State and the Adjutant General. Such supplemental payments shall not be considered or included as remuneration for the purposes of R.S.43:21-19.

j. For the purposes of this section, “political party” means either of the two political parties receiving the largest and next largest number of votes in this State for members of the General Assembly at the last preceding general election held for the election of all of the members of the General Assembly.

3. There is appropriated from the General Fund to the Secretary of State such sums as are deemed necessary by the State Treasurer and the Director of the Division of Budget and Accounting in the Department of the Treasury for the purpose of reimbursing counties for the additional direct expenditures required to implement subsection i. of section 2 of this act, P.L.2021, c.102 and for the purposes set forth in the memorandum of understanding or other written agreement executed pursuant to that subsection.

4. There is appropriated the sum of \$1,700,000 from the General Fund for the purposes set forth in the memorandum of understanding or other written agreement executed between the Secretary of State and the Adjutant General concerning the activation and deployment of New Jersey National Guard troops who assisted with the 2020 primary and general elections.

5. This act shall take effect immediately.

Approved June 3, 2021.