

ASSEMBLY, No. 3463
STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED MARCH 5, 2018

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SYNOPSIS

Requires district boards of election to report every two hours number of voters who have voted at each precinct; authorizes challengers to request reported count.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning voting activity on election day and the powers of challengers, amending R.S.19:7-5, and supplementing chapter 52 of Title 19 of the Revised Statutes.

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

1. (New section) The district boards of election at each polling place shall create and publicly display a notice containing an official count of the cumulative number of voters who have voted at each precinct, indicating the number of voters who have voted using a voting machine and the number of voters who have voted using a provisional ballot. The first notice shall be produced two hours from the opening of the polls and updated every two hours thereafter until the time the polls close.

2. R.S.19:7-5 is amended to read as follows:

19:7-5. Such challengers shall be the authorized challengers for their respective political parties and candidates or for the proponents or opponents of a public question. They shall have the power to challenge the right to vote therein of any person claiming such right and shall have power to ask all necessary questions to determine this right. They may be present while the votes cast at any election are being counted, hear and see the ballots counted and shall have the right and power to challenge the counting or rejecting of any ballot or any part of a ballot. They shall be entitled to ask the members of the district boards of election at each polling place, no more than every two hours, for the official count of how many voters have voted at each precinct, and the district boards of election shall provide this information as the notice required pursuant to section 1 of P.L. , c. (C.) (pending before the Legislature as this bill).
(cf: P.L.1956, c.66, s.4)

3. This act shall take effect immediately.

STATEMENT

This bill requires the district boards of election to report every two hours the number of voters who have voted at each precinct, and authorizes challengers to request the reported count.

Under the bill, the district boards of election at each polling place would be required to create and publicly display a notice containing an official count of the cumulative number of voters who have voted at each precinct, and indicating how many voted by voting machine and by provisional ballot. The first notice would be produced two hours from the opening of the polls and updated

every two hours until the polls close.

Under current law, certain persons are appointed to act as challengers on election day in each election district for their respective political parties, candidates, or for the proponents or opponents of a public question. Challengers are currently empowered to challenge the right to vote of any person who appears on a challenge list prepared by election officials, or who is suspected to not be entitled to vote. However, challengers are not permitted to challenge, delay, or prevent the right to vote of any person because of that person's race, color, national origin, expected manner of casting a vote, or residence in a particular ward, housing complex, or section of a municipality or county. Challengers may also be present while votes are being counted and may challenge the counting or rejecting of all or part of any ballot. Challenge procedures, and a challenged voter's rights and protections, are further established under N.J.S.A.19:15-18 et seq.

This bill expands the powers of challengers by allowing them to ask the members of the district boards of election at each polling place, no more than every two hours, for the official count of how many voters have voted at each precinct. Under the bill, the district boards of election would provide this information as the notice required under section 1 of the bill.

This bill is intended to promote greater transparency in the electoral process by requiring the district boards to report how many voters have voted and by allowing challengers to have access to current turnout information during election day.