

ASSEMBLY, No. 1437

STATE OF NEW JERSEY 215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Assemblywoman BONNIE WATSON COLEMAN

District 15 (Hunterdon and Mercer)

Assemblyman ALBERT COUTINHO

District 29 (Essex)

SYNOPSIS

Requires incarcerated persons be counted as residents of their previous address, not prison, for redistricting purposes.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning the use of certain federal decennial census
2 information for redistricting purposes and supplementing Title
3 52 of the Revised Statutes.

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

7 1. Notwithstanding any law, rule or regulation to the contrary,
8 the population count used by the Apportionment Commission to
9 create legislative districts pursuant to Article IV, Sections II and III
10 of the New Jersey Constitution, used by the New Jersey
11 Redistricting Commission to create Congressional districts pursuant
12 to Article II, Section II of the New Jersey Constitution, and used to
13 conduct any other form of redistricting required to be conducted
14 pursuant to current law, shall not include, if possible, any individual
15 who, when counted for the purpose of the official decennial census
16 of the United States for New Jersey, was incarcerated in a State or
17 federal correctional institution in this State and was not a resident of
18 this State before such incarceration. Instead, the population count
19 used for these purposes shall, if possible, count individuals
20 incarcerated in a State or federal correctional institution, as
21 determined by the official decennial census, only at their last known
22 residence before incarceration and only if those individuals were
23 residents of this State.

24
25 2. This act shall take effect immediately.

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28 STATEMENT

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30 This bill provides that the population count used by the
31 Apportionment Commission to create legislative districts, and used
32 by the New Jersey Redistricting Commission to create
33 Congressional districts and used to conduct any other form of
34 redistricting required to be conducted pursuant to current law,
35 cannot include, if possible, any individual who, when counted for
36 the purpose of the official decennial census of the United States for
37 New Jersey, was incarcerated in a State or federal correctional
38 institution in this State and was not a resident of this State before
39 such incarceration. Instead, the population count used for these
40 purposes must count, if possible, individuals incarcerated in a State
41 or federal correctional institution, as determined by the official
42 decennial census, only at their last known residence before
43 incarceration and only if those individuals were residents of this
44 State.