

ASSEMBLY, No. 659

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Assemblyman JOSEPH CRYAN

District 20 (Union)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblywoman SHEILA Y. OLIVER

District 34 (Essex and Passaic)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

SYNOPSIS

Requires incarcerated individual be counted for redistricting purposes at previous address if State resident and not counted if incarcerated and not State resident.

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

8 1. Notwithstanding any law, rule or regulation to the contrary,
9 the population count used by the Apportionment Commission to
10 create legislative districts pursuant to Article IV, Sections II and III
11 of the New Jersey Constitution, used by the New Jersey
12 Redistricting Commission to create Congressional districts pursuant
13 to Article II, Section II of the New Jersey Constitution, and used to
14 conduct any other form of redistricting required to be conducted
15 pursuant to law shall not include an individual incarcerated in a
16 State or federal correctional institution in this State on the day the
17 federal decennial census is conducted in this State if that individual
18 was not a resident of this State before incarceration.

19 The population count used for redistricting purposes shall,
20 however, include an individual incarcerated in a State or federal
21 correctional institution in this State on the day the federal decennial
22 census is conducted in this State if that individual was a resident of
23 this State before incarceration. Such an individual shall be counted
24 at the street address and census block that corresponds to the
25 individual's last known address before incarceration.
26

27 2. This act shall take effect immediately.
28
29

30 STATEMENT

31 This bill provides that the population count used by the
32 Apportionment Commission to create legislative districts, by the
33 New Jersey Redistricting Commission to create Congressional
34 districts, and used to conduct any other form of redistricting
35 required to be conducted is not to include an individual incarcerated
36 in a State or federal correctional institution in this State on the day
37 the federal decennial census is conducted in this State if that
38 individual was not a resident of this State before incarceration.

39 The bill does, however, provide that the population count used
40 for redistricting purposes must include an individual incarcerated in
41 a State or federal correctional institution in this State on the day the
42 census is conducted in this State if that individual was a resident of
43 this State before incarceration. Such an individual must be counted
44 at the street address and census block that corresponds to the
45 individual's last known address before incarceration.

46 This bill is similar to legislation enacted in 2010 in Delaware,
47 Maryland and New York.