

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 659

STATE OF NEW JERSEY

DATED: FEBRUARY 10, 2014

The Assembly Judiciary Committee reports favorably Assembly Bill No. 659.

This bill requires that for the purposes of establishing legislative and Congressional districts, incarcerated persons would be counted in the federal census as if they resided at their last known address prior to incarceration. Incarcerated persons who were not State residents before incarceration would not be included in the population count for the district.

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

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

This bill is similar to legislation enacted in 2010 and 2011 in Delaware, Maryland, New York, and California.

This bill was pre-filed for introduction in the 2014-2015 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.