

[Second Reprint]

ASSEMBLY, No. 4564

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED OCTOBER 15, 2018

Sponsored by:

Assemblyman ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblyman ROY FREIMAN

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Co-Sponsored by:

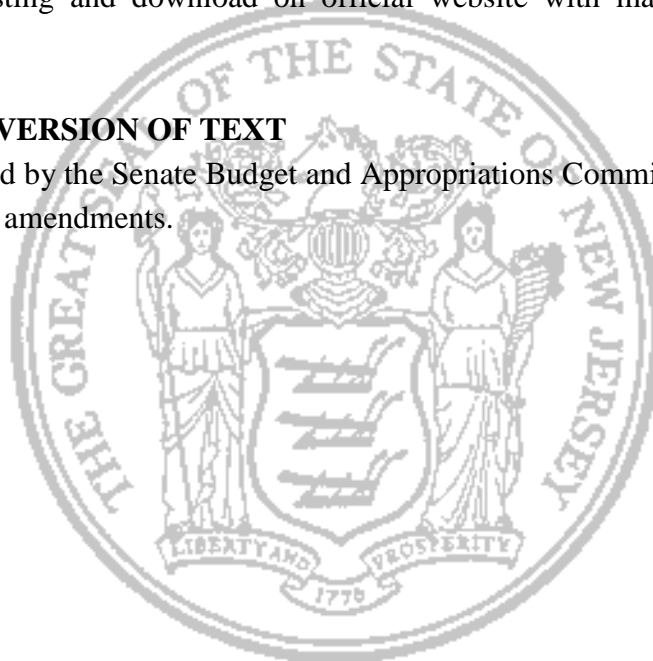
Assemblywoman Mosquera

SYNOPSIS

Establishes "Voting Precinct Transparency Act;" requires filing of election district, county district, and municipal ward boundary data with Secretary of State for posting and download on official website with matching election results data.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on January 9, 2020, with amendments.



(Sponsorship Updated As Of: 1/14/2020)

1 AN ACT concerning the availability of election district, county
2 district, municipal ward boundary, and election results data to
3 the public, amending various parts of the statutory law, and
4 supplementing chapter 4 of Title 19 of the Revised Statutes.

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

8
9 1. (New section) a. This act shall be known and may be cited
10 as the “Voting Precinct Transparency Act.”

11 b. The Secretary of State shall make available on the official
12 website of the Division of Elections in the Department of State the
13 election district, county district, and municipal ward boundaries
14 required to be filed with the Secretary of State pursuant to section 7
15 of P.L.1976, c.83 (C.19:4-16), section 121 of P.L.1972, c.154
16 (C.40:41A-121), and section 7 of P.L.1981, c.496 (C.40:44-15),
17 respectively. The boundary files shall be in ESRI Shapefile format
18 and available for download by the public free of charge ², upon
19 implementation of a compatible Statewide Voter Registration
20 System².

21 c. Within 90 days following the certification of the results of
22 any special, primary, school, municipal, or general election, and of
23 any public question voted by the voters at an election, pursuant to
24 Title 19 of the Revised Statutes, the ²**[Secretary of State shall also]**
25 county clerk of each county shall² make available on ²**[the]** their²
26 official website ²**[as provided under subsection b. of this section]**²
27 a table or database containing the election results compiled at the
28 election districts level ²**[**1, which shall, as is provided to the
29 Secretary of State,]². If feasible, the table or database shall² include
30 the results of mail-in ballots delineated by election district¹.

31 The election results table or database shall be in a single file, in a
32 comma-delimited values format, and shall contain a unique
33 identifier field for each election district that matches the unique
34 identifier field for that district in the election districts Shapefile. ¹In
35 the event that election results specific to mail-in ballots are unable
36 to be included in the table or database created pursuant to this
37 subsection, the votes by mail-in ballot for a particular candidate
38 shall be included in ²**[the]** a separate² table or database ²**[in a**
39 separate, clearly labeled column]². A mail-in ballot received and
40 counted shall not be attributed in the table or database to an election
41 district ²or other geographic unit² in which the voter does not
42 reside.¹ The election results table or database shall be available for
43 download by the public free of charge.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ASL committee amendments adopted December 6, 2018.

²Senate SBA committee amendments adopted January 9, 2020.

1 d. The Secretary of State, in consultation with the New Jersey
2 Office of Information Technology, Office of Geographic
3 Information Systems, shall issue technical guidelines governing the
4 preparation, maintenance, and submission of boundary files and
5 election results files deemed necessary or desirable to accomplish
6 the provisions of this section.

7
8 2. Section 7 of P.L.1976, c.83 (C.19:4-16) is amended to read
9 as follows:

10 7. a. The county board shall cause to have prepared and shall
11 maintain an up-to-date suitable map of the county and of each
12 constituent municipality clearly delineating the geographical
13 boundaries of each election district contained therein and of the
14 ward, legislative, freeholder, Congressional or other district or part
15 thereof, in which each election district is contained. A word
16 description of such geographical boundaries shall be attached to
17 each such map.

18 The county board shall file copies of such maps and descriptions
19 in the following manner: three copies to the Secretary of State, one
20 copy to the county clerk, and one copy to the clerk of each affected
21 municipality. Within 30 days of any changes in the boundaries of
22 any of the aforementioned districts, the county board shall file
23 revised maps and accompanying revised descriptions in the same
24 manner.

25 Said maps and descriptions shall be public records and shall be
26 available for inspection by the public in the offices of the Secretary
27 of State, county clerks and municipal clerks during normal office
28 hours. Copies shall be made available to the public for a fee
29 necessary to cover the cost of reproduction.

30 In order to effectuate the purposes of this act, the Secretary of
31 State shall establish such rules and regulations governing the
32 preparation, maintenance, distribution and filing of said maps and
33 descriptions as he deems necessary or desirable.

34 b. In addition to the maps and descriptions required to be filed
35 with the Secretary of State under subsection a. of this section, the
36 county board shall file with the Secretary of State the election
37 district boundaries in ESRI Shapefile format in accordance with
38 section 1 of P.L. , c. (C.) (pending before the Legislature as this
39 bill).

40 (cf: P.L.1976, c.83, s.7)

41
42 3. Section 121 of P.L.1972, c.154 (C.40:41A-121) is amended
43 to read as follows:

44 121. a. Within 30 days after the adoption of one of said optional
45 plans, the district commissioners shall make and file their report
46 and certificate over at least three of their signatures setting forth
47 and properly describing the district boundaries fixed and

1 determined, to which there shall be annexed a map of the county
2 with the district boundaries clearly marked thereon.

3 The report so certified shall be filed in the office of the clerk of
4 the county, and a copy thereof shall also be filed with the Secretary
5 of State.

6 b. In addition to the description of the district boundaries and
7 map required to be filed with the Secretary of State under
8 subsection a. of this section, the district commissioners shall file
9 with the Secretary of State the district boundaries in ESRI Shapefile
10 format in accordance with section 1 of P.L. , c. (C.) (pending
11 before the Legislature as this bill).

12 (cf: P.L.1972, c.154, s.121)

13

14 4. Section 7 of P.L.1981, c.496 (C.40:44-15) is amended to
15 read as follows:

16 7. a. Within 30 days following their initial meeting pursuant to
17 section 5 of this act, the ward commissioners shall file their report,
18 certified by at least three of their signatures, setting forth and
19 properly describing the ward boundaries fixed and determined.
20 There shall be annexed to the report a map of the municipality with
21 the ward boundaries clearly marked thereon.

22 The report so certified shall be filed in the office of the county
23 clerk, and copies shall be filed with the Secretary of State and in the
24 office of the municipal clerk.

25 b. In addition to the description of the ward boundaries and
26 map required to be filed with the Secretary of State under
27 subsection a. of this section, the ward commissioners shall file with
28 the Secretary of State the ward boundaries in ESRI Shapefile format
29 in accordance with section 1 of P.L. , c. (C.) (pending before
30 the Legislature as this bill).

31 (cf: P.L.1981, c.496, s.7)

32

33 5. This act shall take effect immediately.