

[First 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)

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 Assembly State and Local Government Committee on December 6, 2018, with amendments.



(Sponsorship Updated As Of: 5/24/2019)

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.

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

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

40 d. The Secretary of State, in consultation with the New Jersey
41 Office of Information Technology, Office of Geographic
42 Information Systems, shall issue technical guidelines governing the
43 preparation, maintenance, and submission of boundary files and
44 election results files deemed necessary or desirable to accomplish
45 the provisions of this section.

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.

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

3 7. a. The county board shall cause to have prepared and shall
4 maintain an up-to-date suitable map of the county and of each
5 constituent municipality clearly delineating the geographical
6 boundaries of each election district contained therein and of the
7 ward, legislative, freeholder, Congressional or other district or part
8 thereof, in which each election district is contained. A word
9 description of such geographical boundaries shall be attached to
10 each such map.

11 The county board shall file copies of such maps and descriptions
12 in the following manner: three copies to the Secretary of State, one
13 copy to the county clerk, and one copy to the clerk of each affected
14 municipality. Within 30 days of any changes in the boundaries of
15 any of the aforementioned districts, the county board shall file
16 revised maps and accompanying revised descriptions in the same
17 manner.

18 Said maps and descriptions shall be public records and shall be
19 available for inspection by the public in the offices of the Secretary
20 of State, county clerks and municipal clerks during normal office
21 hours. Copies shall be made available to the public for a fee
22 necessary to cover the cost of reproduction.

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

27 b. In addition to the maps and descriptions required to be filed
28 with the Secretary of State under subsection a. of this section, the
29 county board shall file with the Secretary of State the election
30 district boundaries in ESRI Shapefile format in accordance with
31 section 1 of P.L. , c. (C.) (pending before the Legislature as this
32 bill).

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

34

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

37 121. a. Within 30 days after the adoption of one of said optional
38 plans, the district commissioners shall make and file their report
39 and certificate over at least three of their signatures setting forth
40 and properly describing the district boundaries fixed and
41 determined, to which there shall be annexed a map of the county
42 with the district boundaries clearly marked thereon.

43 The report so certified shall be filed in the office of the clerk of
44 the county, and a copy thereof shall also be filed with the Secretary
45 of State.

46 b. In addition to the description of the district boundaries and
47 map required to be filed with the Secretary of State under
48 subsection a. of this section, the district commissioners shall file

1 with the Secretary of State the district boundaries in ESRI Shapefile
2 format in accordance with section 1 of P.L. , c. (C.) (pending
3 before the Legislature as this bill).

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

5

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

8 7. a. Within 30 days following their initial meeting pursuant to
9 section 5 of this act, the ward commissioners shall file their report,
10 certified by at least three of their signatures, setting forth and
11 properly describing the ward boundaries fixed and determined.
12 There shall be annexed to the report a map of the municipality with
13 the ward boundaries clearly marked thereon.

14 The report so certified shall be filed in the office of the county
15 clerk, and copies shall be filed with the Secretary of State and in the
16 office of the municipal clerk.

17 b. In addition to the description of the ward boundaries and
18 map required to be filed with the Secretary of State under
19 subsection a. of this section, the ward commissioners shall file with
20 the Secretary of State the ward boundaries in ESRI Shapefile format
21 in accordance with section 1 of P.L. , c. (C.) (pending before
22 the Legislature as this bill).

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

24

25 5. This act shall take effect immediately.